THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Wednesday, the 28th January 1931.

The House met at eleven of the clock, Mr. President (the hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT:

Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Mahomed.
Krishnan Nayar, *Kt.*, The hon. Diwan Bahadur Sir M.
Campbell, C.S.I., C.I.E., C.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.
Stokes, C.S.I., C.I.E., I.C.S., The hon. Mr. H. G.
Muniswami Nayudu, The hon. Diwan Bahadur B.
Rajan, The hon. Mr. P. T.
Kumaraswami Reddiyar, The hon. Diwan Bahadur S.
Abdul Hameed Khan Sahib Bahadur.
Ahmed Meeran Sahib Bahadur.
Alamelumanga Thayaramma, Mrs. K.
Annamalai Chettiyar, Mr. S. A. A.
Arasu, Mr. V. T.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Basheer Ahmed Sayeed Sahib Bahadur.
Basu Dev, Mr. C.
Bayabani Sahib Bahadur, S. M. K.
Bayappa Reddi, Mr. P.
Birley, Mr. Frank.
Davis, O.B.E., Mr. J. A.
Devadasan, Mr. M.
Dharmalingam Pillai, Rao Sahib V.
Dorai Raja, Mr. S. N.
Ellappa Chettiyar, Rao Bahadur S.
Gopalaswami Mudaliyar, Diwan Bahadur M.
Harischandrudu Nayudu, Mr. A.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
Indraiah, Mr. C.
Jagannadha Raju, Rao Bahadur G.
Jagannadham, Mr. H. M.
Jayaram Nayudu, Rao Sahib C.
Kesava Ramamurti Nayudu, Mr. K.
Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Kolanda Reddi, Rai Sahib C.
Kondappa, Mr. A.
Koti Reddi, Mr. K.
Kumara Raja of Venkatagiri.
Luker, Mr. A. T.
Madanagopal Nayudu, Mr. R.
Madhusoodhanan Thangal, Mr.
Mahboob Ali Baig Sahib Bahadur.
Mahmud Schamnad Sahib Bahadur, Khan Bahadur.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Bahadur T. M.
Moses, Mr. P. C.
Muhammad Meera Ravuttar, Mr. K. P. V. S.
Muniswami Pillai, Rao Sahib V. I.
Muthiah Chettiyar, Mr. M. A.
Muthu Chettiyar, Mr. P. C.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Nachiyappa Gounder, Mr. A.
Nadimuthu Pillai alias Chinnu Pillai, Mr. A. Pl. N. V.
Nallatambi Sarkarai Manradiyar, Rai Bahadur N.
Nanjappa Bahadur, Subadar-Major S. A.
Narasa Reddi, Mr. T.
Narasimhaswami, Mr. D. V.
Narayanan Nambiyar, Mr. V. P.
Narayanaswami Pillai, Mr. T. M.
Natesa Mudaliyar, Rao Bahadur C.
Palat, Mr. R. M.
Parthasarathi Ayyangar, Mr. C. R.
Pate, I.C.S., Mr. H. R.
Patnaik Mahasayo, Sriman M. G.
Pattabhiramayya, Mr. K.
Pocker Sahib Bahadur, B.
Premayya, Mr. G. R.
Rajagopala Pillai, Mr. P. V.
Ramachandra Padayachi, Mr. P. K.
Ramakrishna Reddi, Mr. A.
Ramalingam Chettiyar, Rao Bahadur T. A.
Ramamurti, Pandit Ganala.
Ramamurti, I.C.S., Mr. S. V.
Raman Menon, Mr. K. P.
Ramaswami Ayyar, Mr. T. S.
Ramaswami Mudaliyar, Mr. V. M.
Ranganatha Mudaliyar, Mr. A.
Ranganatha Mudaliyar, Mr. G.
Ranganatha Mudaliyar, Mr. M. D. T.
Rangaswami Reddi, Mr. M. B.
Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.
Sahajanandam, Swami A. S.
Sami Venkatachalam Chetti, Mr.
Satyanarayana Choudari, Mr. C.
Sesha Reddi, Mr. B. P.
Shetty, Mr. A. B.
Simhachalam Pantulu, Mr. Gade.

PRESENT—*cont.*

Siva Raj, Mr. N.
Soundara Pandian, Mr. W. P. A.
Sreshta, Mr. M. S.
Srinivasa Ayyangar, Mr. T. C.
Sriramulu, Mr. G.
Subbarayan, Dr. P.
Subrahmania Bhatt, Mr. U. C.
Subrahmaniam Chettiyar, Rao Sahib P.
Sundara Rao Nayudu, Mr. T.
Syed Tajudin Sahib Bahadur, Khan Sahib.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Mr. M.
Venkatarama Ayyar, Mr. K. R.
Venkataramayya, Rao Sahib Badeti.
Venugopala Nayudu, Rao Bahadur R. K.
Watson, I.C.S., Mr. H. A.
Yakub Hasan Sahib Bahadur.
Zamindar of Chemudu.
Zamindar of Minampalli.
Zamindar of Mirzapuram.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Education

Grant-in-aid to Muslim School at Coimbatore.

* 130 *Q.*—Mr. Basheer Ahmed Sayeed: Will the hon. the Minister for Education and Excise be pleased to state—

(*a*) whether the Muslim public or any Muslim Association at Coimbatore applied to Government for grant-in-aid for any Muslim school during the last three years; and

(*b*) if so, by whom the application was made and how it was disposed of by Government?

A.—(*a*) No.

(*b*) Does not arise.

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar:—"May I ask the hon. Minister whether the Municipal Council of Coimbatore did not apply for a grant in aid of this school?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"Yes, Sir, they did apply."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar:—"May I know whether the request of the Council will be favourably considered?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"The request of the Municipal Council has been long ago negatived."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar:—"Did not the Municipal Council again apply to the Government to reconsider their order?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"No, not to reconsider the order."

Mr. Basheer Ahmed Sayeed:—"May I ask the hon Minister whether he is not aware that the education of the Muslim community in Coimbatore is very backward and that the said community has been persistently asking for some aid?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar:—"There has been never any representation from the Muslim community."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar:—'May I know why the request of the Municipal Council should be objected to by the Government?"

28th January 1931]

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"The question whether the municipality should be allowed to give any aid to the school is under consideration."

Mr. BASHEER AHMED SAYEED :—"Will the hon. Minister favourably consider the request of the Municipal Council?"

Application for the management of the Muslim School at Coimbatore by the Government.

* 131 Q.—Mr. BASHEER AHMED SAYEED : Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether any application by the Muslim public or any Muslim Association at Coimbatore was made to the Government to take over the management of any Muslim school during the last three years; and

(b) if so, how the application was disposed of and why?

A.—(a) No.

(b) Does not arise.

Provincialization of services of teachers in the schools of local boards, municipalities, etc.

* 132 Q.—Mr. A. HARISCHANDRUDU : Will the hon. the Minister for Education and Excise be pleased to inform—

(a) whether the Government are contemplating to provincialize the services of teachers in secondary schools under private managements, district boards and municipalities;

(b) if so, what steps are being taken; and

(c) if not, when this question will be taken up?

A.—The Government have no such proposals in view.

Mr. J. A. DAVIS :—"May I ask the hon. the Minister for Education whether the Government have received any proposals from the Director of Public Instruction for provincializing the services of teachers in local board schools?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"No such proposal has till now been received for provincializing the services of teachers either under the local boards or municipalities."

Mr. K. A NACHIAPPA GOUNDER :—"Will the Government consider such a proposal at least in future?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"It will be time enough to think of that when it comes."

Mr. K. A. NACHIAPPA GOUNDER :—"Will he then consider the question of the inclusion of elementary school teachers also?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"In the absence of any such proposals, I do not want to make any conjectures."

[28th January 1931

Report of the Director of Public Instruction on the recommendations of the Hartog Committee.

* 133 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Excise be pleased to state—

(a) what report the Director of Public Instruction has made to the Government in regard to the recommendations contained in the Hartog Committee's report; and

(b) what action is proposed to be taken in this matter?

A.—(a) & (b) The remarks of the Director of Public Instruction are under the consideration of Government. The question of publishing his remarks will be considered when final orders are passed.

Mr. A. RANGANATHA MUDALIYAR:—"Will the hon. Minister give an opportunity to this House to consider the views or the recommendations of the Director of Public Instruction before final orders are passed thereon by the Government?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I cannot give any undertaking at present; but I shall keep this in mind when the final orders are passed."

Medical inspection of schools and colleges.

* 134 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government have under consideration any scheme of medical inspection on improved lines of their schools and colleges; and

(b) if so, how it differs from the present system and in which districts it is proposed to be tried?

A.—(a) & (b) Proposals for a scheme of medical inspection on improved lines called for from the Director of Public Instruction are awaited.

Excise.

Alleged bidding by village officers at excise auction sales in South Kanara.

* 135 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the village officers in the district of South Kanara or in any taluk of South Kanara had been ordered by the Tahsildars or Revenue Divisional Officers by regular orders or takids to bid at the recent excise auction sale held in South Kanara;

(b) if so, under whose orders the said orders or takids were issued, and who issued the orders or takids and under what powers they were issued;

(c) what action the Government have taken or propose to take in the matter; and

(d) how many of the successful bidders at the recent excise auction sales are village officers in each of the taluks of South Kanara?

A.—(a) to (c) The answer is in the negative.

(d) None.

Mr. U. C. SUBRAHMANYA BHATT :—"May I know from the hon. the Minister for Education and Excise whether the answer to this question is based on information got from the district or on some information already in the Secretariat?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"The answer is based on the information which we got from the district officer."

Compensation to losses incurred by toddy contractors.

*136 Q.—Mr. SAMI VENKATACHALAM CHETTI : Will the hon. the Minister for Education and Excise be pleased to state—

(a) whether the Government have given any undertaking that in respect of losses incurred by contractors of toddy shops on account of picketing the Government would compensate the contractors;

(b) whether several Revenue Divisional Officers at the time of the auction of toddy shops undertook to pay such compensation;

(c) what is the extent of compensation which they have agreed to pay;

(d) why the Government have considered it necessary to compensate the toddy contractors against loss due to picketing;

(e) whether they have taken any legal opinion that they would be liable to pay such compensation and if not, why not; and

(f) whether the Government have been still continuing the temperance propaganda and how the Government propose to distinguish between cases where the loss was due to their own propaganda or to the picketing by volunteers?

A.—(a) & (b) The Government authorized Collectors of districts to announce at the time of the auction sales of toddy shops for the lease of 1930–31 that applications from renters for remission of rentals on account of any serious loss sustained by them owing to causes over which the renters had no control would be considered sympathetically. The Government empowered the Commissioner of Excise to grant remissions to the renters of arrack and toddy shops in case their sales were affected by the civil disobedience movement.

(c) The amount of remission will depend on the merits of each case.

(d) The Government considered that it was equitable that abkari renters should be granted remission of rentals if they suffered loss owing to causes beyond their control.

(e) No. There was no need to take legal opinion in the matter.

(f) Yes The question whether any particular loss is due to the temperance propaganda or to picketing will be investigated by the local officers.

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I ask the hon. Minister whether the Government have authorized the Collectors *suo motu* to make the announcement mentioned in clauses (a) and (b) of the answer, or was it done at the instance of the Collectors?"

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—"It was done at the instance of the Commissioner, Sir."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—"May I know whether the Commissioner moved in the matter on account of any representation from the Collectors or whether he himself took the initiative ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"I cannot say that now."

Mr. T. C. Srinivasa Ayyangar :—"May I know, Sir, whether there has been any loss suffered by the contractors or renters on account of the effect of the temperance propaganda, and if so, whether the loss on this account is also to be compensated ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"No, Sir. The idea is to find out as far as it is possible whether any loss that has been occasioned is due to the civil disobedience movement or other causes. If it is only due to the civil disobedience movement, it is proposed to give compensation."

Mr. T. C. Srinivasa Ayyangar :—"May I ask whether there is any difference in the loss as such incurred by the contractors whether due to the operation of the propaganda movement or due to voluntary persuasion by picketers of people not to get into the arrack and toddy shops ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"The answer to that must be obvious to a lawyer like him. One is loss occasioned by a movement which is in defiance of the law and the other is not so."

Mr. T. C. Srinivasa Ayyangar :—"Is there any difference in the incidence of the loss to the contractors ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"The consequence of the propaganda movement the contractors could have foreseen, but the result of the civil disobedience movement they could not have foreseen."

Mr. T. C. Srinivasa Ayyangar :—"Have the Government issued any instructions to their subordinates to differentiate between these two causes, and if so, will the Government be pleased to place such instructions on the table of the House ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"The printed answer makes it quite clear that the Government have empowered the Commissioner to grant remissions in cases where the sales have been affected as a result of the civil disobedience movement."

Mr. T. C. Srinivasa Ayyangar :—"Sir, my question remains unanswered. I asked whether there is any difference in the incidence of the loss occasioned by the civil disobedience movement and the loss incurred by the contractors by the operation of the temperance propaganda ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"There is any amount of difference. I have already explained it."

Mr. G. Simhachalam Pantulu :—"Is there any specific provision in the Act to give such remission ?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"There is no such provision. I do not think any such provision is required to enable the Government to grant compensation."

Mr. G. Simhachalam Pantulu :—"Am I to understand that the Government consider it an extraordinary situation ?"

28th January 1931]

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Certainly . . . "

(As Mr. Simhachalam had not resumed his seat after putting the supplementary question, the hon. the President said: The hon. Mr. Simhachalam will please sit down to obtain the answer.)

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" Certainly, the civil disobedience movement is a very extraordinary movement."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" It is stated in the answer that the question whether any particular loss is due to the temperance propaganda or to picketing will be investigated by the local officers. Is the intention of the Government to give compensation for possible loss incurred by the effect of temperance propaganda ? "

The hon. Diwan Bahadur S KUMARASWAMI REDDIYAR :—" I do not think that is the idea of the Government."

Diwan Bahadur R N. AROGYASWAMI MUDALIYAR :—" But it is so stated in the answer to clause (*a*)."

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" The object of this question, I take it, is to know whether the Government would go further and give any compensation in cases where the loss is due to temperance propaganda. In reply to that, I may say that the Government's present intention is to give no compensation where the loss is due to temperance propaganda."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" But it is stated here that it will be investigated. Where is the necessity for investigating it ? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" It has to be investigated because compensation can be given only in cases where the loss is due to picketing. To find that out, it is necessary to investigate."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I take it that the Government have no intention of discontinuing the temperance propaganda ? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR : —" No such idea at present."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" Does not the Government realize that such an announcement offering remission would tend to reduce the bid amounts ? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" That is a matter purely of opinion."

Mr. A. RANGANATHA MUDALIYAR :—" May I know if the bids have been affected by the civil disobedience movement ? "

The hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR :—" They have been affected."

Mr. A. RANGANATHA MUDALIYAR :—" If therefore the movement is withdrawn and if that results in increased profits to the renters, will the Government get an extra share from the renters ? " (Laughter.)

[28th January 1931

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—"May I ask whether this order or announcement will not be taken undue advantage of by the renters and whether remission applications will not be coming in large numbers?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"That again is a hypothetical question."

Diwan Bahadur M. Gopalaswami Mudaliyar :—"May I ask whether two renters from the Bellary district have sent up memorials for remission on account of the civil disobedience movement?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"Those memorials are not before the Government; they are probably before the Commissioner."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—"Have the Government any idea of the possible loss in excise revenue during the year owing either to propaganda or to the civil disobedience movement?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"It is possibly somewhere between Rs. 50 and 60 lakhs."

Mr. Abdul Hameed Khan :—"With reference to the answer to clause (f) of this question, may I ask what means they are going to adopt to find out whether the loss is due to picketing or otherwise? Are they going to ask the Collectors and Police Superintendents?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"It is a very large question to answer, what procedure will be adopted by district officials to find this out. The procedure will vary with the various officers. The same procedure will not probably be adopted by all of them. Therefore it is impossible to give a general answer to the question."

Mr. Abdul Hameed Khan :—"May I know if the hon. Minister will be able to tell us some of the methods which he can himself visualise?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"I do not think I can answer that question."

Mr. T. C. Srinivasa Ayyangar :—"Was it the idea of the Government that the propaganda movement would not be successful and that is why they never thought of the question of compensating the renters?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"It is not due to that reason"

Mr. M. A. Manikkavelu Nayakar :—"Is the hon. Minister aware, Sir, that the subtle distinction made between the loss due to the civil disobedience movement and the loss due to temperance propaganda is likely to be abused by the local officers?"

The hon. Diwan Bahadur S Kumaraswami Reddiyar :—"I do not think so."

Mr. C. R. Parthasarathi Ayyangar :—"Are the renters to be compensated for any loss they may incur?"

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"Yes, if the loss is due to the civil disobedience movement."

28th January 1931]

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—"May I ask how the Government are going to assess the loss? The Government can have no information about the toddy sales in the shops."

The hon. Diwan Bahadur S. Kumaraswami Reddiyar :—"We know the rentals that have been realized by the shopkeepers."

Agriculture

Experiment of growing short-term crop for the production of sugarcane seed.

* 137 Q.—Mr. A. Harischandrudu : Will the hon. the Minister for Public Works be pleased to state—

(a) the progress made in the establishment of the system of growing short-term crop for the production of sugarcane seed ; and

(b) in which farm or farms this experiment has been started ?

A.—(a) Instructions have been issued by the Director of Agriculture to all Deputy Directors to establish this practice wherever sugarcane is grown. At the Agricultural Research Station, Anakapalle, 2·15 acres have been raised with short crop cane for seed. In the Vizagapatam district 6 acres are under short crop cane.

(b) At the Agricultural Research Station, Anakapalle.

Public Works

Shifting of the Superintending Engineer's office from Bellary to Madras.

* 138 Q.—Diwan Bahadur M. Gopalaswami Mudaliyar : Will the hon. the Minister for Public Works be pleased to state—

(a) what the reasons were for shifting the Superintending Engineer's office from Bellary to Madras ; and

(b) whether the Government propose to retransfer his office to Bellary ?

A.—(a) The III circle of superintendence with headquarters at Bellary was abolished in 1923 as a measure of retrenchment and the divisions of the circle were attached to the Madras Circle (headquarters—Madras).

(b) The question of reviving the circle with headquarters at Bellary has been under consideration, but it is not proposed to make the alteration during the present financial stringency.

Diwan Bahadur M. Gopalaswami Mudaliyar :—"May I ask, Sir, whether the division is not too unwieldy to be managed by an Engineer with headquarters at Madras ?"

The hon. Mr P. T. Rajan :—"As stated in the answer to clause (b), the question of reviving the circle with headquarters at Bellary has been under consideration, but it is not proposed to make the alteration during the present financial stringency."

Veterinary

Appointment of clerks in the office of the District Veterinary Officer, Madanapalle.

* 139 Q.—Mr. C. R. PARTHASARATHI AYYANGAR: Will the hon. the Minister for Public Works be pleased to state—

(a) during the time Mr. G. A. Ajwani held office in the Madanapalle district as Veterinary Officer, how many clerks were appointed and discharged;

(b) whether charges were framed against the several clerks whose services were dispensed with;

(c) whether any enquiry was instituted into the matter by the Director of Veterinary Services, Madras; and

(d) if so, what is the result?

A.—(a) Three were appointed and discharged.

(b) No charges were framed against any of the clerks, as they were only on probation.

(c) & (d) No enquiry was instituted by the Director of Veterinary Services, Madras.

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"With reference to clause (b), may I know why in the case of probationers, the usual procedure of framing a charge, etc., is not followed?"

The hon. Mr. P. T. RAJAN:—"Men are put on probation to see whether they are fit or not and if they are not found fit, they are sent away."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"On what evidence is a man to be judged? Is it not necessary that he should be told that in such and such particulars he has been found wanting?"

The hon. Mr. P. T. RAJAN:—"The opinion of the officer under whom they are working is enough."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know, Sir, the period of probation that was fixed?"

The hon. Mr. P. T. RAJAN:—"I want notice, Sir."

11-15 a.m.

Medical

Free treatment in Government Hospitals for the families of Government servants.

* 140 Q.—Diwan Bahadur M. GOPALASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that only public servants are treated in Government hospitals free of charge and not their wives and children;

(b) if so, whether there are any proposals before the Government that the concession may be extended to their wives and children?

A.—(a) All Government servants are entitled to free medical attendance. The families of the following classes of Government servants only are entitled to free medical attendance:—

(i) Departmental officers with honorary rank who joined the Public Works Department before 11th July 1910;

28th January 1931]

(ii) Government servants employed in the Agency tracts of Ganjam, Vizagapatam and East Godavari;

(iii) Members of the Secretariat staff, below the rank of Assistant Secretary while on duty at Ootacamund.

(b) No.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I know the basis on which this classification is fixed?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"I do not know what the basis is; but that is the practice."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know what the Government mean by 'departmental officers with honorary rank'?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Notice, Sir."

Number of medical men sent on study leave.

*141 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Local Self-Government be pleased to state the number of medical men who have been sent on study leave from each district during the past ten years?

A.—Fifty-five medical officers were granted study leave during the last five years. Government have no information in regard to the districts to which these officers belong.

Mr. A. B SHETTY:—"May I know why the Government did not call for the information asked for in this question?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"It is not possible to get it."

Rao Sahib B. VENKATARAMAYYA:—"May I know how many officers come from Andhra districts?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Notice, Sir."

Mr. A. B. SHETTY:—"May I know if the Government has found out whether any particular district or districts are having more than a fair share of this privilege?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Notice, Sir."

Rao Sahib B. VENKKATARAMAYYA:—"May I know whether there is a complaint that the Andhra districts are not fairly represented?" How many of the fifty-five officers are from Andhra districts?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU:—"Notice, Sir."

Floods

Damage caused by the storm in the City of Madras.

*142 Q.—Mr. K. R. VENKATARAMA AYYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have ascertained the nature and extent of the damage caused by the recent storm and excessive rain in the City of Madras and its neighbourhood; and if so, what it is; and

[28th January 1931

(b) what action has been taken, or is proposed to be taken by Government by way of relief in aid of or in addition to the relief afforded by the Corporation or other local bodies?

A.—(a) The Government have called for a detailed report.

(b) The Government have sanctioned an expenditure of Rs. 10,500 towards the cost of repairing the houses provided for the depressed classes in Ganesapuram and Paddisonpuram cheris in Madras which were damaged during the recent storm and floods. It is also proposed to authorize the Commissioner of Labour to place at the disposal of the Commissioner of the Corporation a further sum of Rs. 6,000 for distribution through the Flood Relief Committee to members of the depressed class community in several cheris in Madras for the reconstruction of the houses damaged by the recent storm.

Forest Panchayats

Rates of grazing fee collected by panchayats in Anantapur and Bellary districts.

* 143 Q.—Mr. A. Kondappa: Will the hon. the Member for Revenue be pleased to state—

(a) the rate of grazing fee per unit collected by the panchayats in Anantapur district;

(b) the rate of grazing fee per unit collected by the panchayats in Bellary district; and

(c) the reasons for the difference, if any?

A.—(a) Gudipad panchayat ... 4 annas.
All the other panchayats. 8 „

(b) 1 panchayat ... ... 3 „
95 panchayats ... ... 4 „
7 „ ... ... 5 „
2 „ ... ... 6 „
6 „ ... ... 8 „

(c) The rates vary according to local circumstances and are fixed with the concurrence of the panchayat concerned.

Mr. A. Kondappa:—"May I know why in Bellary district the rate of fees levied is half the rate generally levied in Anantapur district? What are the local circumstances which justify a higher rate in Anantapur district?"

The hon. Mr. A. Y. G. Campbell:—"I must ask for notice of the question."

Irrigation

Supply of water for irrigation in Tiruppattur taluk.

* 144 Q.—Mr. Basheer Ahmed Sayeed: Will the hon. the Member for Revenue be pleased to state—

(a) the amount of remission of land revenue granted each year during the last ten years in the taluk of Tiruppattur;

(b) what is the reason for such remission every time;

28th January 1931]

(c) what are the sources of water-supply for irrigation in the taluk of Tiruppattur and how often such supply has failed and why;

(d) when the Reed Sahib anicut and the channel to Nadapalli tank were repaired and at what cost;

(e) whether it is a fact that the said anicut and the channel require immediate and substantial repair;

(f) whether the Government have examined or propose to examine question of diverting more water into the channel by raising the level of the anicut at Kurushalapet; and

(g) what steps have been taken hitherto to assure a steady and unfailing supply of water to Tiruppattur taluk for irrigation?

A.—(a) The attention of the hon. Member is invited to the statement printed on pages 61–62 of the Statistical Appendix for North Arcot District (District Gazetteer, Volume II) prepared in 1929, a copy of which is in the Secretariat library. Particulars for faslis 1336 onwards are given below:—

Fasli	Amount of land revenue remitted by way of seasonal remissions on wet lands in Tiruppattur taluk. RS.	A.	P.
1336	21,127	9	0
1337	24,473	0	0
1338	12,352	0	0
1339	21,080	0	0

There were no seasonal remissions on dry lands.

(b) The Government have not the information, but the grant of remission is governed by the rules in Board's Standing Order 13.

(c) There are about 323 minor irrigation works. The Government have no information as regards the second part of the question.

(d) They were repaired under an estimate for Rs. 4,975 sanctioned in 1923. The Government have no information whether the anicut and channel were repaired again later.

(e), (f) & (g) A copy of G.O. No. 2160 I, dated 25th July 1930, is laid on the table.[a] The question of silt clearance above the anicut, in the supply channel and in the tank, is under consideration by the Chief Engineer for Irrigation.

Mr. BASHEER AHMED SAYEED:—"May I know whether the Government ascertained the reasons for granting seasonal remissions?"

The hon. Mr. A. Y. G. CAMPBELL:—"No, Sir."

Mr. BASHEER AHMED SAYEED:—"May I know whether the Government will ascertain the reasons and try to mitigate the causes that are responsible for failure of crops, and grant seasonal remissions?"

The hon. Mr. A. Y. G. CAMPBELL:—"I shall make enquiries as to the cause. As to mitigation of the causes, I cannot make any promise before knowing the causes."

[a] Printed as Appendix I on page 411 infra.

Investigation of Belahal project, Bellary district.

* 145 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the stage at which the investigation of Belahal project (Hadagalli taluk, Bellary district) is at present and whether there is any part of the scheme which may be straightway placed under execution without detriment to the Tungabhadra West Canal project, or the East Canal project whichever might be decided upon for execution later on?

A.—The detailed investigation of Belahal-Bheemanakeri project has been completed and plans and estimates are under preparation. A considerable part of the ayacut under this project also comes into the ayacut of the Tungabhadra (Thimmalapuram) project and the Bellary West Canal project.

The question whether a part of the Belahal-Bheemanakeri project could be carried out independently of those projects will be examined.

Supply channel to Timmanayani tank from the Chinna Hagari.

* 146 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether there was ever a proposal before the Government (during Sir Muhammad Habib-ul-lah's time) to improve the Timmanayani tank by taking a channel from the Chinna Hagari;

(2) whether the proposal was investigated and considered almost an ideal one except for the fact that the bed of the tank was suspected to consist of porous soil; and

(3) whether the tank was since observed, after rains and when it had received some supply and whether the bed is found to be really porous or if porous, whether it is such as cannot be rectified by latest engineering devices?

A.—(1) No papers on the subject can be traced in the Secretariat.

(2) & (3) The Government have not the information. They have called for a report.

Ayacut under the spring channel of Rupavagudi and Chagavur villages.

* 147 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state with reference to G.O. No. 2374, Revenue, dated 12th November 1929, the survey numbers or the subdivisions thereof, on which a second crop was not raised in one, two and three and more of the five faslis 1334 to 1338 and the total double crop wet ayacut under the spring channel of Rupavagudi village and Chagavur village respectively?

A.—The Government have not the information. They have called for a report.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I ask whether the information will be called for?"

The hon. Mr. A. Y. G. CAMPBELL:—"The Government called for a report on 1st December and a report was received on 10th January, but we have had to call for a further report on account of certain apparent discrepancies."

28th January 1931]

Progress of the North Bank Canal scheme.

* 148 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the estimate for the North Bank Canal scheme has been reduced from the original investigated estimate, and if so, the reasons for the same;

(b) whether the shifting of the head to Ayilur forms part of the estimates which are under consideration of the Government for which the Government are issuing orders;

(c) the extent which the construction of the High Level Channel and the Bed Regulator will irrigate, according to the estimates received by the Government;

(d) whether the extent has since been minimized and if so, the reasons therefor; and

(e) whether the Government has received reports from the Superintending Engineer, Trichinopoly, that as an alternative to the renewing of the Punjapatti Reservoir at a cost of Rs. 80,000 the construction of the High Level Channel and the Bed Regulator if taken up will stand as a permanent flood remedy and also save the present expenditure; and if so, what orders the Government have passed on the same?

A.—(a) Yes. The reduction of the estimate is mainly due to alteration in the design of the canal and its alignment and the consequent reduction of land acquisition charges.

(b) The Government have sanctioned the estimate. It provides for shifting the head to a site below the Ayilur temple.

(c) 19,000 acres of new area besides 1,552 acres of existing irrigation under the Kulittalai-Kattuvari.

(d) No.

(e) No.

Land Assignment

Applications by Mr. Sami Venkatachalam Chetti for grant of lands.

* 149 Q.—Pandit GANALA RAMAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether Mr. Sami Venkatachalam Chetti has applied to Government for a grant of lands, hundreds of acres in extent, both in Vizagapatam and Guntur districts, or somewhere in the Circars; if so, where, and for what purpose;

(b) what is the actual extent and the estimated value of the lands applied for;

(c) in what stage the applications are at present;

(d) what are the grounds on which his applications are based;

(e) whether the Government have modified the rule that lands should be granted only to members of the depressed, backward and labour classes, poor families, etc.; and

(f) whether any other hon. members of this House have made such darkhasts; and if so, the names of the applicants?

[28th January 1931

A.—(*a*), (*b*), (*c*) & (*d*) With a view to working out a scheme of agricultural development, Mr. Sami Venkatachalam Chetti applied for 100 acres of land in Murukondapad village, Bapatla taluk, Guntur district. He has been informed that the lands cannot be assigned.

Mr. Sami Venkatachalam Chetti also applied to the Agent to the Governor, Vizagapatam, for the grant of about 100 acres in Lammasingi Mutta, Gudem Agency, for coffee planting. This application was rejected. It is understood that he has since applied to the Agent for another plot of land. The present stage of this later application is not known.

The Government have no information as to the value of the land applied for in Guntur and Vizagapatam districts.

(*e*) There is no rule of the nature suggested by the hon. Member.

(*f*) No.

Stopping the assignment of certain waste lands in Bellary district.

* 150 *Q.*—Mr. A. Ranganatha Mudaliyar : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether there is now the rule that there should be no assignment of waste lands of the Bellary district likely to be irrigated under the Tungabhadra or Boravani-Tippa projects if and when executed and, if so, when this rule was introduced and why ; and

(*b*) whether, prior to the above change, assignment of such waste lands was permitted subject to certain conditions prescribed with reference to the possible execution of the projects, and if so, what those conditions are ?

A.—(*a*) & (*b*) There is no such project as the Boravani-Tippa project.

As regards the Tungabhadra project, the investigation of this project in a modified form has recently been taken up by the Government. The Government have accordingly now issued a notification to the effect that the sale of land in the Bellary district and certain other districts which are affected or are likely to be affected by the project should be subject to the following conditions :—

(i) that Government may resume the land at their pleasure at any time until the original assignment has been declared absolute by them,

(ii) that in the event of such resumption, the purchase money or such share of it as is proportionate to the area resumed will be repaid, and

(iii) that Government will not be liable to pay compensation for any permanent improvements which may have been effected on the land before such resumption.

It will thus be seen that under the notification the position is that which is described in the first part of clause (*b*) of the question. It is true that there is some confusion in the terms of the Board's Standing Order which governs this matter and the question of revising the Standing Order is under the consideration of the Government.

28th January 1931]

Landlord and Tenant

Recovery of rent and assessment from tenants in Malabar.

* 151 Q.—Mr. R. M. PALAT: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that since the passing of the Malabar Tenancy Act, the janmis are finding it extremely difficult to recover rent and assessment from the tenants; and

(b) whether and when the Government propose to draw up rules for the summary recovery of rent and michavaram and assessment, where assessment is collected as part of the rent or michavaram and thus enable the janmis to take advantage of the rules, before the next instalment of the assessment falls due?

A.—(a) The Government have no information.
(b) The question is being considered by Government.

Mr. R. M. PALAT:—"May I know whether the Government will call for detailed information?"

The hon. Mr. A. Y. G. CAMPBELL:—"I shall call for a report."

Land Revenue

Extent of land sown under cotton, korra, cholam, etc., in some villages of Rayadrug taluk.

* 152 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the extent sown under cotton, korra, cholam and paddy in the villages of Kanekal, Hanakanhal, Rekatla, North Hanumapuram, Sollapuram, Malyam and in Kanekal firka as a whole of Rayadrug taluk, Bellary district, up to end of September in the faslis 1334 and 1335 and the current fasli, respectively?

A.—A statement is annexed.[a] Figures of cultivation up to the end of September in faslis 1334 and 1335 are not available; the figures given therefore in respect of these two faslis are those for each of the faslis as a whole.

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I enquire whether the hon. the Revenue Member will take any action with regard to the question of remission this year?"

The hon. Mr. A. Y. G. CAMPBELL:—"I do not follow how the question arises."

Reclassification of porambokes in Bellary district.

* 153 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state whether, with reference to G.O. No. 276, Revenue, dated the 12th February 1930, the reclassification of porambokes with a view to the transfer of the cultivable portions thereof, to the head of assessed waste, has been completed in the Bellary district, and if not yet completed, the progress made so far in the respective taluks of the district?

A.—The information has been called for.

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[a] Printed as Appendix II on page 412 infra.

Arrears of loans and revenue in Bellary district.

*154 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) the villages in each taluk of Bellary district where there are arrears of revenue of previous years remaining to be collected;

(b) the villages in each of such taluks where there are yet loans arrears to be collected; and

(c) the selling price of cholam and cotton in each of the last three months of this fasli and in the corresponding months of faslis 1334, 1335 and 1339?

A.—(a) & (b) Lists of villages are appended.[a]

(c) A statement giving the price of cholam is appended.[a] Further particulars have been called for in regard to the price of cotton.

Revenue Establishment

Alleged supply of ghee, etc., by village officers in South Kanara.

*155 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Member for Revenue be pleased to state—

(a) whether just before the visit of His Excellency the Governor in October 1930 to South Kanara, the Tahsildars employed in South Kanara gave takids or orders to village officers to supply such things as ghee, fowls and eggs, and whether any accounts were maintained for the same and whether the village officers were paid for supplies made and receipts obtained from them; and

(b) what was the total quantity collected and the surplus left, and what happened to the same?

A.—(a) & (b) The Government have no information.

Srirangam Temple

Repairs to the Srirangam temple.

*156 Q.—Mr. K. SINGAM AYYANGAR: Will the hon. the Member for Revenue be pleased to state what action the Government propose to take to give effect to the resolution of the Council in view of the fact that the committee appointed to go into the question of repairs to the Srirangam temple has not submitted any report?

A.—The hon. Member is referred to the answers given to question No. 256 at the meeting of the Legislative Council held on 14th March 1927. Although the Committee made no report, the information which the Committee was to have collected was obtained and placed on the table of the House. The Government do not consider that any further action is called for.

[a] Printed as Appendix III on pages 418–415 infra.

Survey and Settlement

Postponement of new settlement operations in Malabar.

* 157 Q.—Mr. V. P. NARAYANAN NAMBIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government contemplate placing the land revenue settlement on a permanent basis; and

(b) whether the Government have considered the desirability of postponing new settlement operations in Malabar and other districts until the present financial situation improves?

A.—(a) The attention of the hon. Member is invited to the answer given to clause (a) of question No. 111 on the 4th September 1928.

(b) The Government do not think it desirable to suspend or postpone any resettlement that is now due or in progress.

Proposal for resurvey of South Kanara district.

* 158 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are contemplating again a resurvey of the whole of South Kanara district; and

(b) if so, why the proposal which was once given up is being reconsidered?

A.—(a) & (b) No such proposal is under the consideration of the Government.

Mr. A. B. SHETTY:—"May I ask whether the Survey Department has been making any attempt recently to get the Government to sanction the resurvey of the whole district?"

The hon. Mr. A. Y. G. CAMPBELL:—"The Government are not aware of it."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the Survey Department has been pressing for a resurvey of the district?"

The hon. Mr. A. Y. G. CAMPBELL:—"We have had no recommendation to that effect."

Village Establishments

Posts of Assistant Karnams in certain villages of Bellary district.

* 159 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) the beriz and number of survey fields and total extent of each of the villages of Siruguppa, Desanur, Kuditini, Kanekal, Kamalapuram and Hospet of Bellary district;

(b) whether at any time each of these had an assistant karnam and a head karnam; and

(c) when the post of assistant karnam was abolished and why; the pay of the assistant karnam and head karnam respectively at the time of the abolition of the second post; the pay of the karnam now in charge of each of the above villages; and

(d) whether it is the same as that of the karnam of the smallest ryotwari village of the district?

[28th January 1931

A.—(a) A statement is annexed.[a]

(b) Except Hospet all the villages referred to in clause (a) had formerly an assistant karnam and a head karnam.

(c) The post of assistant karnam was abolished in 1922 as it was not necessary. An assistant karnam on Rs. 14 was sanctioned in 1928 for Siruguppa village.

The pay of both the assistant karnam and head karnam at the time of the abolition of the post of assistant karnam was Rs. 15 per mensem.

The pay of the karnams now in charge of Kamalapuram, Kuditini and Hospet is Rs. 14 per mensem each; the pay of the karnams of the other villages referred to in clause (a) is Rs. 15 each.

(d) The pay of the karnams of all other ryotwari villages is Rs. 14 per mensem each.

Mr. A. RANGANATHA MUDALIYAR:—"In view of the fact that one man is doing the work of two men, may I ask whether the Government will compensate such persons for their extra work, by increase of pay?"

The hon. Mr. A. Y. G. CAMPBELL:—"The pay has no doubt been fixed according to the usual principles."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I know whether a uniform pay of Rs. 15 will be fixed for all the karnams and assistant karnams?"

Mr. A. RANGANATHA MUDALIYAR:—"May I enquire the principle on which the pay of Rs. 15 was fixed in one case and the pay of Rs. 14 in some other cases?"

The hon. Mr. A. Y. G. CAMPBELL:—"I must ask for notice."

Mr. A. RANGANATHA MUDALIYAR:—"May I ask the hon. the Revenue Member why these rates were not fixed on a uniform scale? I find in some places higher pay is given."

The hon. Mr. A. Y. G. CAMPBELL:—"These rates were fixed on certain principles."

Diwan Bahadur M. GOPALASWAMI MUDALIYAR:—"May I know whether the Government will consider the question of fixing a uniform rate?"

The hon. Mr. A. Y. G. CAMPBELL:—"It is not desirable to fix a uniform pay for all karnams; the rates are fixed in each case in accordance with certain general principles."

Civil Justice

Disposal of pending suits in the Additional Subordinate Judge's Court in South Kanara.

* 160 Q.—Mr U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state—

(a) whether it has come to the notice of the Government that the continuance of the Additional Subordinate Judge's Court in South Kanara beyond December 1930 is unnecessary;

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[a] Printed as Appendix IV on page 415 infra.

(*b*) whether the Bar Association of Mangalore has passed a resolution stating that the continuance of the Additional Sub-Court beyond December 1930 is unnecessary and communicated the same to Government;

(*c*) what is the pendency of original suits and appeals in the District Court and Subordinate Judges' Courts of South Kanara; and

(*d*) what action the Government have taken or propose to take in the matter?

A.—(*a*) The hon. Member has sent a communication to Government to that effect.

(*b*) Yes.

(*c*) Pendency as on 11th December 1930—

	District Court.	Principal Sub-Judge.	Additional Sub-Judge.
Appeals	190	83	71
Original suits	8	45	49

(*d*) The Government have directed the abolition of the appointment of Additional Sub-Judge, South Kanara, with effect from the 16th February 1931.

Transfer applications filed in the District Court of South Kanara.

*161 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the present Additional Subordinate Judge of South Kanara was a practising lawyer at Mangalore with wide practice before he was appointed to the Judicial service,

(*b*) whether it is a fact that a number of transfer applications were filed in the District Court of South Kanara within the last four months to transfer suits pending before the said Additional Subordinate Judge, and if so, how many such transfer applications were filed;

(*c*) whether it is a fact that one of the grounds common to all the said transfer applications is that the said Additional Sub-Judge was a vakil for one of the parties to the suits sought to be transferred when he was practising as a lawyer in Mangalore; and

(*d*) what action the Government propose to take in the matter?

A.—(*a*), (*b*) & (*c*) Information has been called for from the High Court.

(*d*) Does not arise.

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I ask when the Government expect to get the information?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I am sorry that I cannot answer that question; it depends on the High Court."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"May I know whether the Government will place that information on the table of the House?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"I will consider my hon. Friend's suggestion."

[28th January 1931

Alleged letter from the Collector of South Kanara to the District Judge regarding commissions.

* 162 Q.—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the Collector of South Kanara wrote a letter to the District Judge of South Kanara, dissuading him from giving commissions or receiverships in suits in the district and subordinate courts of South Kanara to Mr. Shesha Bhat Bhide, Vakil, Mangalore, for his having resigned his councillorship of the municipality of Mangalore, and if so, what are the contents of that letter;

(*b*) whether the Government have taken any steps or intend to take any to prevent such interference on the part of the executive in the administration of civil justice; and

(*c*) what is the justification for the said action of the Collector in interfering with the administration of justice on matters touching the individual opinions of lawyers?

A.—(*a*) The Government have no information.
(*b*) & (*c*) Do not arise.

Mr. U. C. SUBRAHMANYA BHATT:—"May I ask whether the Government will call for the information?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The Government have already called for the information."

Mr. U. C. SUBRAHMANYA BHATT:—"May I know what the information is?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"The information has not yet been received."

Electricity

Licence for supply of electricity to Salem town.

* 163 Q.—Mr. SAMI VENKATACHALAM CHETTI: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the Salem municipality applied to the Madras Government on 22nd August 1930 for the grant of a licence for the supply to the Salem public of electrical energy for power and lighting; if so, why no reply has been given till now;

(*b*) whether Messrs. Octavius Steel & Co., Ltd., have been given the necessary licence for distribution of electrical energy for Salem;

(*c*) whether any objection has been received under 2 (1) of the Indian Electricity Act of 1910; if so, from where;

(*d*) how the objection has been disposed of;

(*e*) whether the municipality was one of the objectors; if so, what were the terms of objection by the Municipal Council; and

(*f*) why the Government in spite of such objection, granted the licence to Messrs. Octavius Steel & Co., Ltd.?

28th January 1931]

A.—(*a*) Yes. A reply was sent on the 11th December 1930.

(*b*) Yes.

(*c*) The hon. Member presumably refers to section 3 (2) (*a*) (i) of the Act. No objection was received within three months from the date of the first publication of the notice of application for the licence.

(*d*) & (*f*) The licence was granted to Messrs. Octavius Steel & Co. for the reasons explained in Government Memorandum No. 11034-E/30-7, dated 11th December 1930, which is annexed hereto.[a]

(*e*) The objection of the Municipal Council was received more than two months after the expiry of the period fixed by the Act. The ground of objection was that the Council wished to obtain the licence itself, the distribution of electric energy being a matter of public utility.

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—" With regard to the Government Memorandum No. 11034-E/30-7, dated 11th December 1930, may I know when the Company will complete the scheme of distribution?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Notice, Sir."

Mr. T. S. Ramaswami Ayyar :—" May I ask whether the Government considered the desirability of distributing the current departmentally ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Yes, Sir."

Mr. T. S. Ramaswami Ayyar :—" May I know why the Government have not taken up the work of distribution themselves ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" The Government thought that if they themselves undertook this work, it would cause delay and thereby loss to the tax-payer."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—" May I ask at what rate the Company is going to supply energy ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" Notice, Sir."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" May I enquire why the Government thought that there would be delay ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—" For this reason, Sir. The Government do not possess the necessary agency for doing this kind of work. The Government have already invested a sum of Rs. 5½ lakhs on transmission lines from Mettur. If the Government were to employ a new agency, it would take time. As I said, the prolongation of the period will cause loss to the tax-payers whose money—to the extent of 5⅓ lakhs—has already been spent by the Government."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" Considering the fact that this Company have undertaken this work because they will get profit and not loss, why did not the Government undertake the work and get the profit ?"

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[a] Printed as Appendix V on page 416 *infra*.

[28th January 1931

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"For this reason, Sir : the company have the necessary agencies and materials in their hands always ; they are professional workers in this field."

Mr. T. S. RAMASWAMI AYYAR :—"May I enquire whether the Government have not got an Electrical Department and expert electricians at the head of the Department ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Not for the purpose of distribution of the energy but only for the production of energy on a very large scale."

Mr. SAMI VENKATACHALAM CHETTI :—"May I know whether the original application of the company was both for generation and distribution ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Mr. T. S. RAMASWAMI AYYAR :—"May I enquire whether the distribution of energy is not much easier than production of electric energy and does not distribution through other agencies entail loss to the Government ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I may tell my hon. Friend that the nature of the two kinds of work of production and distribution is different ; we cannot compare one with the other."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Considering the fact that the Government have got their own electrical experts, considering the fact that orders may be placed with firms for materials required, considering the fact that the only thing required is the appointment of additional establishment, and considering the fact that the Government will make a profit, may I ask why the Government did not take up the work themselves ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"For the reason that I have already given ; placing of orders for materials and the employment of a new agency will naturally take time."

Mr. T. S. RAMASWAMI AYYAR :—"What is the cost per unit ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Mr. BASHEER AHMED SAYEED :—"May I enquire whether the municipal council was consulted as to their readiness to take up the supply ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Yes, Sir ; the municipal council was consulted and they stated—by a resolution—that this work might be granted to the Octavius Steel & Co."

Mr. SAMI VENKATACHALAM CHETTI :—"For what purpose ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"For distribution Sir."

Mr. SAMI VENKATACHALAM CHETTI :—"Is it not for generating and distributing ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Mr. T. S. RAMASWAMI AYYAR :—"May I ask the cost at which they propose to sell the current ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Notice, Sir."

Khan Bahadur KHALIF-UL-LAH SAHIB :—"What is the reply of the municipal council—conditional or unconditional ?"

28th January 1931]

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Absolutely unconditional."

Mr. K. R. VENKATARAMA AYYAR :—" May I know whether any time limit is fixed ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" They are expected to finish the work before the end of this year in any case."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I ask whether the agreement with the Octavius Steel & Co. has been completed ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Licence has been granted."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I know whether the agreement has been taken ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Licence has been granted ; that is the final stage."

Dr. P. SUBBARAYAN :—" May I ask whether the Government have taken an undertaking from the company that, if the latter do not finish the work within the time fixed, they will bear the loss which the Government will be put to ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" So far as I can say now, no."

Dr. P. SUBBARAYAN :—" Why not give the work to the municipal council ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Because they did not want to undertake the work originally."

Dr. P. SUBBARAYAN :—" Did they not apply afterwards ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" My hon. Friend knows the matter as well as I do ; these matters were discussed in the Cabinet when he was a Member of the Government."

Dr. P. SUBBARAYAN :—" My hon. Friend is going beyond his province."

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" I am not."

Mr. SAMI VENKATACHALAM CHETTI :—" Was this work given to the company before the deputation approached the hon. the Law Member ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" Yes, Sir."

Mr. BASHEER AHMED SAYEED :—" May I ask whether the Government propose to encourage municipalities in such undertakings in future ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" As far as municipalities can do this kind of work."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask whether there are any terms in the licence which will enable the Government to take over some of these works ? "

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—" That requires an examination of the licence."

Dr. P. Subbarayan :—"I would like to ask the hon. Member whether he has imposed a condition on the company that they should finish the work within the time fixed and when the electric current will be ready?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"They are professional men in this matter; it is to their interest that they should finish the work as early as possible."

Mr. T. S. Ramaswami Ayyar :—"Would it not be to the interest of the Government if they undertook the distribution of work and completed the work as early as possible?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"It is not possible."

Dr. P. Subbarayan :—"Will not the municipal council be just as anxious to complete the work as early as possible?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"The municipal council did not want to take up the work."

Dr. P. Subbarayan :—"As far as I know, the municipal council did want it."

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"I am thankful to the hon. Member for the information."

The hon. the President :—"This is not a supplementary question."

Diwan Bahadur R. N. Arogyaswami Mudaliyar :—"May I know the time when the company will complete the work?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"As I said, in any case, before the end of this year."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—"May I enquire whether the Company did not ask for extension of time?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"No, Sir."

Issue of licences for electric supply to Erode and Salem.

*164 Q.—Mr. V. P. Narayanan Nambiyar: Will the hon. the Law Member be pleased to state—

(a) whether Government have issued licences in respect of electric supply in Erode and Salem; and

(b) if so, to whom they have given and for what reasons?

A.—(a) Yes.

(b) To Messrs. Octavius Steel & Co., Calcutta, for the reasons explained in the memorandum annexed.[a]

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar :—"Did not the Government ask the municipal councils to borrow money for such purposes and undertake the schemes?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"I am not aware of it. The question must be addressed to my hon. Colleague, the Chief Minister."

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[a] Printed as Appendix V on page 416 infra.

28th January 1931]

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I enquire of the hon. the Chief Minister, whether the Government did not advise the District Board, Coimbatore, to advance money to the Erode Municipality to undertake the scheme?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU :—"Notice, Sir."

Forests

Concessions granted to ryots in reserved forests, South Kanara.

* 165 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) whether the Government have decided to continue the concessions granted to ryots in reserved forests in South Kanara, and if so, for how long a period; and

(b) why the concessions are not made permanent instead of being extended from time to time?

A.—(a) & (b) The Government have decided to continue the concessions so long as they are not abused.

Jails

Treatment given to Mr. K. Neelakantan Nambudiripad.

* 166 Q.—Mr. V. P. NARAYANAN NAMBIYAR: Will the hon. the Law Member be pleased to state—

(a) what class of political prisoner is Karur Neelakantan Nambudiripad, now undergoing imprisonment in the Madras Penitentiary;

(b) the assessment which the illom of the said Neelakantan Nambudiripad pays in British Malabar; and

(c) whether there were any special reasons for placing him in the present class?

A.—(a), (b) & (c) The Government have no information; but have called for it.

Civil disobedience prisoners sentenced under the Borstal Act.

* 167 Q.—Mr. K. R. VENKATARAMA AYYAR: Will the hon. the Law Member be pleased to state— 11-30 a.m.

(a) whether the Government have sought or obtained advice from its Law officers about the applicability of the Borstal Act to young persons convicted of political offences in connexion with the Indian National Congress movement or the satyagraha or civil disobedience movement, and if so, what it is;

(b) whether the Government have issued any and what instructions to the Magistrates and others concerned to give effect to the advice received from its Law officers;

(c) whether the Government will be pleased to lay on the table of the House a list or statement of the cases of the class referred to in (a) in which the criminal courts of the Province have so far applied the Borstal Act,

[28th January 1931

specifying in each case the period of imprisonment awardable apart from the Borstal Act and the period of detention in the borstal school ordered instead ; and

(*d*) whether the Government contemplate taking any, and if so, what action by way of suspending, remitting or altering the sentences passed under the Borstal Act in the cases referred to in (*a*) and (*c*) ?

A.—(*a*) & (*b*) In connexion with the order of detention in a borstal school passed on three adolescent offenders in the Nellore district who were connected with the Civil Disobedience movement, the Government obtained the opinion of the Advocate-General as to the correct interpretation that should be placed on section 8 of the Madras Borstal Schools Act. The Advocate-General has given it as his opinion that the foundation of the jurisdiction of the Court to pass a sentence of detention in a borstal school in lieu of a sentence of imprisonment is that the Court must be satisfied that the adolescent offender is a person of criminal habits or tendencies or is associating with persons of bad character. The Advocate-General's opinion was communicated to all the officers concerned, including District Magistrates and Sessions Judges on 29th November 1930.

(*c*) No.

(*d*) The question is under consideration.

Mr. K. R. Venkatarama Ayyar :—"May I know with reference to the answer given to clause (*c*), whether the Government have not thought it advisable that for their own guidance they must have a list of cases referred to in clause (*a*) ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"The District Magistrates have been asked to deal with these cases and have been asked to furnish Government with all the information available and when that information reaches the Government they will place on the table a list of such cases as the hon. Member wants."

Mr. K. R. Venkatarama Ayyar :—"Does not the hon. Member realize that as such sentences in the cases as would be affected by the Advocate-General's opinion are illegal, and it is now more than 3½ months since the opinion was received, the Government have been cogitating too long over the matter ?"

The hon. Diwan Bahadur Sir M. Krishnan Nayar :—"Government have asked the District Magistrates to consider each case on its own merits and they must have time to examine them."

Application of the Borstal Act to satyagrahi prisoners.

* 168 *Q*.—Mr. Sami Venkatachalam Chetti : Will the hon. the Law Member be pleased to state—

(*a*) when the opinion of the Advocate-General that the Borstal Act cannot be applied to satyagrahi prisoners was received ;

(*b*) whether the opinion has been circulated to Magistrates, and if so, when ; and

(*c*) in how many cases the Borstal Act was applied to satyagrahi prisoners during the interval ?

28th January 1931]

A.—(*a*) & (*b*) The hon. Member is referred to the answer to clauses (*a*) and (*b*) of question No. 167. The Advocate-General's opinion was received on 14th October 1930.

(*c*) The Government have no information.

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"With reference to answer to clause (*c*) the Government say they have no information. As I understood from the reply of the hon. the Law Member, he said that the information has been called for and the report has been collected. May I know whether the information has been received?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"No, Sir."

Application of the Borstal Act to boys convicted for political offences.

* 169 Q.—Mr. U. C. SUBRAHMANYA BHATT : Will the hon. the Law Member be pleased to state what action the Government have taken or propose to take in the matter of the application of the Borstal Act to boys convicted for political offences not involving moral turpitude?

A.—The hon. Member is referred to the answer to question No. 167.

Panchayat Courts

Opening of a village panchayat court in Ellutla.

* 170 Q.—Mr. C. R. PARTHASARATHI AYYANGAR : Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have accorded sanction to open a village panchayat court in Ellutla, Vayalpad taluk, Chittoor district, and if not, why not;

(*b*) whether the majority of the residents are in favour of the proposal;

(*c*) whether a meeting was held in the village by the Collector of Madanapalle in response to a mahazar signed by a large number of residents of the village to constitute a panchayat;

(*d*) how many assembled there were in favour of and against the formation; and

(*e*) whether the Government will be pleased to lay on the table the report of the Collector of the district regarding the opening of the panchayat court?

A.—(*a*) to (*e*) The Government have not received any proposal from the Collector on the subject.

Mr. C. R. PARTHASARATHI AYYANGAR :—"Is it not a fact that a meeting was held at Ellutla and that the majority of the people of that place were in favour of opening a panchayat court there?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"As I said, we have not received information from the Collector. There is no report from the Collector."

Mr. C. R. PARTHASARATHI AYYANGAR :—"Was there not a meeting held?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"That is exactly what I said. The Collector has not made any report. The Government do not know anything as to whether a meeting was held or not."

Depressed Classes

Moir Hostel for Adi-Dravida boys at Chidambaram.

* 171 Q.—Swami A. S. SAHAJANANDAM: Will the hon. the Home Member be pleased to state—

(*a*) when the Moir Hostel for Adi-Dravida boys attached to the Nandanar School at Chidambaram was founded and what is the progress made in its strength;

(*b*) whether the annual audit reports made by the Local Fund Examiner of Accounts are found satisfactory;

(*c*) whether the reports made by the Labour Commissioner about its management are found to be satisfactory;

(*d*) whether it is supplying the real and pressing need of poor and destitute Adi-Dravida boys unable to attend school for want of feeding in their houses;

(*e*) whether any, and if so, how many applications for admission into the hostel were rejected for want of accommodation;

(*f*) whether it is a fact that funds are being raised and spent by the Nandanar Kalvikazhagam towards the maintenance of the hostel besides the grant made by the Government; and

(*g*) whether the acquisition of the Nandanar school site is completed; if not, how long it will take for the Government to acquire the site now selected?

A.—(*a*), (*e*) & (*f*) The Government have no definite information.

(*b*) In his Audit Report for 1928–29, the Examiner, Local Fund Accounts, stated that the accounts of the institute did not call for any comment.

(*c*) No special reports are made by the Labour Commissioner.

(*d*) The Government indicate their opinion of the usefulness of the hostel by making a grant to it.

(*g*) No. The notification for the acquisition of the site was published in the *Fort St. George Gazette*, dated 6th January 1931, and acquisition proceedings will now be taken.

Mr. M. DEVADASAN:—"In view of the fact that something like 300 applications for admission appear to have been rejected for want of accommodation, will the Government be pleased to call for the information asked for in clauses (*a*), (*e*) and (*f*)?"

The hon. the PRESIDENT:—"That is a suggestion for action and not a supplementary question."

Medical Registration Act

Removal of the names of certain medical practitioners from the Medical Register.

* 172 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state whether any appeals and if so, how many have been received by the Government from medical practitioners who have been removed from the Medical Register on the ground that they were in some way co-operating with the practitioners of Indian Systems of Medicine?

A.—One appeal was received in 1915.

28th January 1931]

Mr. A. B. SHETTY :—" May I know how many names of allopathic medical practitioners have so far been removed from the Medical Register on the ground that they were in some way co-operating with the practitioners of Indian Systems of Medicine ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I have no information. I should like to have notice."

Rao Bahadur C. NATESA MUDALIYAR :—" Will the Government be pleased to introduce an amending Bill to the existing Act which will prohibit the allopathic doctors from co-operating with the practitioners of Indian Systems of Medicine in view of the fact that many allopathic doctors are employed in the Indian School of Medicine and are assisting the practitioners of Indian Systems of Medicine ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" It is open to the hon. Member himself to bring in such a Bill."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" Is it a fact that many allopathic doctors are employed in the Indian School of Medicine and they are co-operating with doctors practising the Indian system and that therefore their names are liable to be removed from the Medical Register ? "

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—" I shall enquire into the matter."

Motor Vehicles Act

Amendment to rule 19-A of the Madras Motor Vehicles Rules.

*173 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Home Member be pleased to state—

(a) whether the Government propose to make any amendment to rule 19-A of the Madras Motor Vehicles Rules under section 11 of the Indian Motor Vehicles Act, 1914 ;

(b) if so, whether the draft amendment was published, and in what newspapers and journals of the Presidency, and when ;

(c) whether copies of the draft amendment were affixed to any public places, and if so, where and when ;

(d) whether any copies of the draft amendment were sent to the Motor Bus Owners Association and the Madras Motor Drivers Association and the South Indian Motor Union in the city of Madras for their opinion ; and if not, why not ;

(e) whether the opinions or suggestions of any association or individuals on the draft amendment have been received and whether copies of the same will be placed on the table of the House ; and

(f) if so, what action the Government have taken on the opinions and the suggestions received ?

A.—(a) The question is under the consideration of Government.

(b) *to* (f) Do not arise.

Collection of fees for the medical examination of bus drivers.

*174 Q.—Mr. Basheer Ahmed Sayeed: Will the hon. the Home Member be pleased to state—

(a) whether the Government Surgeon or the Police Surgeon in the city of Madras has collected at any time or is collecting any fees from bus and motor car drivers for their medical examination or re-examination when they apply for licence or renewal thereof;

(b) if so, from what date and at what rate and what is the total collection for each month up to date;

(c) to what account such collections are credited and why; and

(d) under what section or rule of the Indian Motor Vehicles Act or Madras Motor Vehicles Rules such fee was levied and collected?

A.—(a) The Police Surgeon collects fees for the medical examination of professional drivers in the city of Madras.

(b) The rule regarding medical examination came into force on 19th August 1930 and the fee charged is Rs. 2. The Government have no information as to the total collection for each month up to date.

(c) The fees are collected by the Police Surgeon.

(d) Rule 19-A of the Madras Motor Vehicles Rules.

Mr. Basheer Ahmed Sayeed:—"Is it not the duty of the Government to communicate to Motor Associations and such other bodies as are interested in these matters, any amendments regarding the rules with reference to the medical examination of motor and bus drivers?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"We generally publish these in the *Fort St. George Gazette*. It is open to them to make representations if they have got any."

Mr. Basheer Ahmed Sayeed:—"May I know who appropriates the fees collected by the Police Surgeon?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"The Police Surgeon."

Mr. Basheer Ahmed Sayeed:—"May I know whether he is paid or unpaid, or honorary?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"He is a salaried officer."

Mr. Basheer Ahmed Sayeed:—"May I ask why the fees collected should not be appropriated by the Government themselves?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"I shall go into this question."

Diwan Bahadur R. N. Arogyaswami Mudaliyar:—"May I know whether the Police Surgeon has got the business of examining these motor drivers alone or any other business as well?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"He has other business also."

Mr. T. S. Ramaswami Ayyar:—"May I know whether the Government are satisfied that the Police Surgeon is competent to examine a candidate's sight, hearing, etc., which examination would be necessary in the case of bus and motor drivers?"

28th January 1931]

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I think so."

Mr. T. S. RAMASWAMI AYYAR:—"What right has the candidate if the Police Surgeon rejects him? Has he got a right of appeal to a Medical Board?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I think so, Sir, but I shall enquire."

Mr. BASHEER AHMED SAYEED:—"May I know whether the Government will call for the total collection of fees he has been making these two years and place it on the table?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"As I have said already I shall go into this question of fees. I am considering it."

Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know whether the Police Surgeon is given the privilege of private practice?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"Notice, Sir."

Mr. BASHEER AHMED SAYEED:—"May I know when the consideration of these questions will be over?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"I cannot say."

Mr. BASHEER AHMED SAYEED:—"For how long has it been under consideration?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"For the last two or three months."

Extension of the proposed amendment of Rule 19-A of the Madras Motor Vehicles Rules to the mufassal.

*175 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Home Member be pleased to state whether the Government propose to extend the proposed amendment to rule 19-A of the Madras Motor Vehicles Rules to the mufassal as well; and if not, why not?

A.—The question is under the consideration of Government.

Medical examination of motor drivers by the Police Surgeon.

*176 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Home Member be pleased to state—

(a) what is the total number of (1) motor bus drivers, (2) lorry drivers, (3) taxi drivers, (4) professional drivers of the private cars and (5) gentleman drivers in the City of Madras;

(b) what are the special reasons for the assigning of the medical examination of motor drivers to the Police Surgeon alone; and

(c) whether the Government have declared or held medical certificates issued to drivers by medical practitioners other than the Police Surgeon as unacceptable for the grant of a licence?

[28th January 1931

A.—(a) The Government have no information.

(b) The office of the Police Surgeon is located very near to that of the Deputy Commissioner of Police, Traffic and Licensing. Examinations are held promptly and any doubts in regard to any driver can be settled quickly by personal consultation.

(c) The rule requires that the medical examination shall be by the Police Surgeon.

Mr. BASHEER AHMED SAYEED :—"With reference to the answer given in clause (a), may I know whether the Government will call for the information?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"Yes, Sir."

Mr. ABDUL HAMEED KHAN :—"With reference to the answer given in clause (b), in which the Government say 'The office of the Police Surgeon is located very near to that of the Deputy Commissioner of Police, etc., etc.', may I know whether that is the only reason why the bus and motor drivers are asked to produce certificates from the Police Surgeon? May I know whether the Government will not consider the feasibility of these drivers producing certificates from expert medical people?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I shall consider the suggestion."

Mr. SAMI VENKATACHALAM CHETTI :—"May I know whether there is any particular date before which these bus drivers should apply for medical certificates?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I must ask for notice."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"May I know whether it is not possible for the Government to have these bus and motor drivers examined free of charge considering the fact that the Police Surgeons are also allowed to have private practice?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"I shall consider that suggestion."

Mr. BASHEER AHMED SAYEED :—"May I know whether it is not possible to effect a reduction in fees in view of the fact that it is much less in other provinces than it is here?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur :—"It is not so. In Calcutta it is Rs. 5, whereas in Madras it is Rs. 2."

Free medical examination of motor drivers.

* 177 Q.—Mr. BASHEER AHMED SAYEED: Will the hon. the Home Member be pleased to state—

(a) what are the rates of fees levied for the issue of a temporary licence;

(b) how often the motor driver is called upon to obtain a medical certificate and on what occasions;

(c) whether the Government have compared the Madras rates of licence fees with those obtaining at Bombay and Calcutta;

28th January 1931]

(*d*) whether the Government have at any time considered the desirability of making medical examination of motor drivers free of any charge or of reducing the fee only to a nominal sum; and

(*e*) what is the total income derived by the Government from the levy of licence fees under the Motor Vehicles Act and Rules in the City of Madras during the year 1930?

A.—(*a*) The fee for a temporary licence which is valid for six months is Rs. 5. The licence may be renewed before the date of expiry for periods of six months at a time on payment of Rs. 3.

(*b*) The driver has to produce a medical certificate in the prescribed form when he first applies for a driving licence or, where he has not produced such a certificate before, at the time of renewal. The Commissioner of Police has, however, power to require a person who holds a driving licence to undergo a fresh medical examination if, in his opinion, to be recorded in writing, he has reasonable doubt as to the holder's physical fitness to drive a motor vehicle.

(*c*) Yes.

(*d*) No.

(*e*) The Government have no information.

Motor cars and motor buses in the Presidency.

*178 *Q.*—Mr A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(*a*) the number of private motor cars and of cars and buses plying for hire in Madras City and in each district of this Presidency at the end of 1929 (figures to be given separately);

(*b*) the number of car and bus accidents in Madras City and in each district of this Presidency in 1929; and

(*c*) the proportion in which the number of accidents in 1929 has increased or decreased as compared with 1927 and 1928?

A.—A statement is placed on the table.[a]

Police

Alleged lathi charges made at Mangalore in June and July 1930.

*179 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the hon. the Home Member be pleased to state—

(*a*) how many lathi charges by the police were made at Mangalore in June and July 1930; and what were the number of those injured and killed in each lathi charge and the nature of the wounds;

(*b*) whether the lathi charge on the first occasion in June 1930 was made on the civil disobedience volunteers who were marching in procession just as they entered the Humpannkutta circle, which is a meeting place of six or seven roads;

(*c*) whether the said circle was previously prohibited for public thoroughfare and whether it is one of the principal and busiest parts of the town;

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[a] Printed as Appendix VI on page 417 infra.

[28th January 1931

(*d*) whether people other than civil disobedience volunteers were beaten with lathis on the occasion of the first charge at Mangalore in June 1930; if so, what is their number and what is the nature of the wounds received by them; and

(*e*) whether any Roman Catholic woman carrying milk was beaten with lathis by the police on the said occasion at the said place and what were the injuries received by her and whether she died of the same?

A.—(*a*) *to* (*e*) The Government have not the information.

Mr. U. C. SUBRAHMANYA BHATT:—"It is nearly two months since I sent in my question. May I know why it has not been possible for the Government to call for the information?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"On examining the various reports sent by the District Magistrate, I find that this detailed information is not available in them. If my hon. Friend wants it, I shall call for it."

Mr. U. C. SUBRAHMANYA BHATT:—"Does the hon. the Home Member think that the information sent by the Collector and the Superintendent of Police is exhaustive?"

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"If the hon. Member wants it, I am prepared to call for it."

[*Note* —An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1930-31.

(5) GRANT XVI—POLICE—RESERVED—*cont.*

* The hon. the PRESIDENT:—"The discussion on Grant XVI—Police—Reserved, will now be resumed."

* Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, it is not a pleasant task to me to censure the Government for their various acts of commission and omission in their Police administration. It is my sincere desire, whatever may be the doubts of my hon. Friend, Mr. Hearson, to arrest the rot, the indiscipline and the demoralization that have set in in the Police force at present."

* The hon. the PRESIDENT:—"Is the hon. Member not moving his amendment?"

Mr. SAMI VENKATACHALAM CHETTI:—"I beg to move

'*that the allotment of Rs.* 6,16,595 *under Grant XVI—Police Reserved, be reduced by Rs.* 100, *to disapprove the action of the Government, etc.*"

* The hon. the PRESIDENT:—"Is the hon. Member not speaking on all the motions before him at the same time?"

* Mr. SAMI VENKATACHALAM CHETTI:—"Yes, Sir, I am speaking on all the motions, because I think it would much facilitate further business being done by this Council if I were to speak on all the motions at the same time."

28th January 1931]

The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"Am I to understand that the hon. Member is speaking on all the motions?"

* The hon. the PRESIDENT:—"Yes."

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, it would no doubt be unfair to ascribe to the present hon. the Home Member the entire responsibility for this state of affairs. Within my limited experience I can easily mention the definite stages of progressive decline in the morale of the police force of this Presidency. I have no doubt that the hon. the Home Member will agree with me that the first stage started with what is known as the Puliantope disturbance. The hon. the Home Member when he was a non-official member was one of those who agreed with the late Sir P. Theagaroya Chetti and Diwan Bahadur O. Tanikachalam Chettiyar in their trenchant criticism of the police action in connexion with the Puliantope troubles. Of course it was said on that occasion that a few stones were thrown on the Indian Magistrate in the very compound of the Court, and that can be easily ascribed to others than the police. During the elections, the police took sides against the public and fortunately for them the party against whom they took sides having come out successful did not pursue the matter further against the police. But there was a hiatus in the demonstration. This is perhaps due to the grit of the Members who held the Police portfolio. But after the civil disobedience movement has come in, it looks as though the police had acquired from the Government a full liberty to deal with the civil disobedience movement and incidentally (a voice: 'deliberately') with any movement connected with it. It was only two months ago that it fell to my unfortunate lot to bring to the notice of the Government the enormity or the insolent brutality which the police have been exhibiting in the matter of repressing the civil disobedience movement. My hon. Friend, the Home Member, who on account of his dignified and responsible position he holds to-day ought to have given an answer which must be consistent both with his dignity and responsibility in that matter. I am afraid the House was disappointed entirely in that matter. At the same time I must say that my hon. Friend, Mr. Hearson, was more able and more plausible in his arguments than my hon. Friend, the Home Member, who indulged in flippant and irresponsible remarks in regard to the action of the police. I am afraid I have to be very cruel in this matter to the hon. the Home Member. I directly charge him for having incited the police by his speech on the floor of this House. He said that they had got full liberty of doing these things, and that the Government are satisfied with what they were doing. So long as they allow the police force to go on unbridled in their actions, so long these excesses must continue. The representations we have been hearing in the past are indicative of the manner in which they have been dealing with the public. They are behaving as if they are a pack of hounds who are allowed to pounce upon the public. The lathi charge at Peddapuram is a disgrace to anybody who calls himself a citizen of this country. I wonder if the hon. the Home Member who had for the last

one and a half months been hearing the reports of the atrocities committed by the police at Peddapuram have any justification to offer for the action of the police.

11.45 a.m. "My hon. Friend, Mr. Hearson, will again say: 'Do not rake up the dying embers'. I am prepared to take his advice, provided his advice has fallen upon the Government also with effect. I ask if the police have behaved in such a way as to make us forgive and forget—I am prepared, Sir, to forgive, but never to forget these incidents. These incidents are a challenge to us, a challenge to our civilization and a challenge to our respectability. Mr. Hearson and his friends are likely to say: 'We do not look with so much seriousness about these things in England'. I am afraid they teach a different code of conduct in this country, or east of Suez. I have read enough of English history, English literature and English methods of police system and of their methods of suppressing rebellions, to disbelieve what Mr. Hearson might say in the matter of dealing with the police. Sir, the latest instance of which I can remind the House now is the agitation set up in England now for the recall of Lord Byng for failure to detect *only* two murders; and for that purpose, the public of England want Lord Byng to be recalled, and he has probably by this time resigned his Commissionership.

"Sir, various amounts have been asked for in this Council. After a laborious search, I was able to trace two speeches of my friend the hon. the Home Member during his non-official days. After further search, the remarks which he made on the police system and the expenditure on the police—which happen to be very appropriate for my use this morning—have also been found out. On the 1st March 1923, when he was sitting perhaps in one of those benches, he said, Sir:

'Before proceeding further, I should like, as Mr. Tanikachala Chettiyar has done, to draw the attention of this House, and especially of the Finance Member and the hon. the Law Member, to the amount of expenditure that we are incurring in connexion with the police, viz., 203 lakhs, or nearly one-seventh or one-eighth of the whole of the revenues of this province. All that is required here is a bold policy of retrenchment. I am aware that the late Law Member has appointed a committee to retrench the expenditure in the police department. But a little retrenchment of one or two lakhs will not suffice. What is required is a bold stroke of policy. We should see whether we require so many sub-inspectors, whether we cannot abolish altogether the cadre of inspectors, and whether we cannot abolish the superfluous officers like the Deputy Superintendents of Police, the Deputy Inspectors-General of Police, and other officers who did not exist fifteen years ago. Such a bold policy alone will save the financial crisis of this province.'

"Those are the words, Sir, which my Friend, the hon. the Home Member, said in March 1923. In addition to his being a non-official member of this Council then, he was a member of the Retrenchment Committee which recommended the abolition at least of one place of the Deputy Inspectors-General of Police. And it so happened that during his very time, the post of Deputy Inspector-General of Police, which was abolished in pursuance of the recommendation of the Retrenchment Committee was slowly inserted—whether it was done with the knowledge of the hon. the Home Member or not, I am not competent to say.

"Again, Sir, after all, my hon. Friend has to come to this Council for sanction for these amounts. Though he tried his best to avoid

28th January 1931] [Mr. Sami Venkatachalam Chetti]

facing this Council at the last meeting, having regard to the powers that are vested in this Council for the purpose of sanctioning excess expenditure, he has necessarily to come before this Council. I need not remind hon. Members of this House of the necessity of exercising proper control over the powers vested in this Council. It is really very rare that we get any power over the purse, and now that we have got it, it is up to us to exercise it in a manner which will be consonant with our ideas and our opinions. Our ideas and opinions should not go in one direction and our votes should not go in a different direction. Sir, every one of us here is a friend of the hon. the Home Member; but our friendship and our public interests ought not to conflict. There is absolutely nothing which we will be doing in the way of an unfavourable act to the hon. the Home Member if we vote according to our opinions in this matter. My friend the hon. the Home Member now comes to this Council for a certain amount, for rewards and pensions. Has the hon. the Home Member ever cared to look into how these rewards are disbursed? May I point out one or two instances for his edification? Apart from the two months' salary which is given to those persons who have taken part in what is called 'repressing' the civil disobedience movement, there are other specific instances of rewards being given. They were originally called 'secret service rewards', but now in order to avoid the stigma that is attached to rewards for secret services, that appellation has gone away and given place to what is called 'special rewards'. In the matter of disbursement of special rewards, you will find, Sir, to your astonishment that persons who have been called perjurers by the courts, persons who have mishandled the situation, have been given rewards by the police. Sir, the very courts set up by this Government find a particular man to be unworthy of any confidence and of having handled the situation in a very bad way, and yet the police, behind these courts, give rewards to that man. I shall give one instance now. It is the case of Abdul Karim Sahib, who was the village munsif of Singaperumalkoil who gave evidence in the case against Mr. Singaravelu Chettiyar and Mr. Mukundlal Sirkar in connexion with the South Indian Railway Company strike. He was given a reward in that case—the amount does not matter much, probably it was Rs. 30 or Rs. 50. I only want to point out here the remarks of the Sessions Judge who tried the case and convicted the accused. In dealing with the evidence given by that man, the village munsif of Singaperumalkoil, who has been given a reward of money by the police, the learned Judge says:

'The P.W. 1 Abdul Karim Sahib is the village munsif of Singaperumalkoil. The P.W. 2 Govinda Nayudu is a resident of that place. The P.W. 3 Ramanuja Ayyangar is the Sub-Inspector of Police of Guduvancheri. These three witnesses speak to the arrival of the accused's car at about 4-30 p.m. on 21st July 1928 at the Singaperumalkoil railway station. The two accused were in the back seat, etc.'

"I shall now read something about their character. The Judge says that this P.W. 1 'has been badly shifting the expressions he attributes to the first accused on that matter and is not corroborated either by the P.W. 2 or by the P.W. 3 or the telegram Exhibit A; and two other respectable persons who are said to have heard the first

[Mr. Sami Venkatachalam Chetti] [28th January 1931

accused's speech have not been called.' P.W. 2 was a resident of the same place and P.W. 3 was a Sub-Inspector of Police. As against their evidence, the Judge found that P.W. 1 had perjured. That man, Sir, was given a reward of Rs. 30 or Rs. 50 by the police. Another man, one telephone clerk who came in very handy in order to enable the police to get a conviction of two persons, whose sole business was to attend to the calls at the phone, was given another sum. Why should he have been given any reward for ordinarily doing his duty, except perhaps for some dirty service which he rendered to the police? Sir, it is in this way that the rewards are being given. Another case in instance was that of Varahalaswami Ayyangar. This man is, I believe, a police officer. He was found to have mishandled the situation entirely, by the convicting magistrate. Yet the police have given him a reward. On the one side, you give rewards to people who do certain services which in a public court are found to be unworthy of any word of praise and disreputable and anything but honest; while on the other hand, when a Circle Inspector in one of the districts in the north goes to a place in order to arrest three non-co-operators for the offence of having cut spathes and on a promise by the villagers that those three people would be sent to the police the next morning, returns to that place, he is found fault with by the Inspector-General of Police and dismissed by him for not having shot some of the young boys who jeered at the police force which was there. On the one hand, you praise the unworthy, disreputable people, and on the other hand those people who are able to manage things very tactfully without giving the least offence either to the Government or to the public, are found fault with and dismissed. Having regard to these two different codes of conduct laid down, is it possible for any police official to be honest, straightforward or respectable? I do not for one moment find fault with Mr. Currie who has been beating every man in Godown street because you have shown the way that every man who beats the people will be given a reward of Rs. 25, Rs. 50 or even Rs. 100; and why should not Mr. Currie get it at the expense of some people who assembled in Godown street? That is the way in which these rewards are being given. Is it fair, I ask, that Government should allow this? I am not drawing these things from my imagination. And look at the people who are thus given rewards? The police employ them for doing acts of gallantry! I am sure the hon. the Home Member will pay a tribute to the police by calling the acts of the police as 'acts of gallantry'. After all, what have they done to deserve these rewards? The batch of police officers who waited at the Marina in order to disperse a public meeting and create havoc in the public meeting are all recommended for the King's Police Medal! What have they done to deserve the medal? Would it be possible that all of a sudden, one evening all the thirteen people would have done some act of gallantry? What is that act of gallantry, I want to know. Of course, there is also another meaning for the word 'gallantry' which is too contemptuous to be described. And why did the hon. the Home Member recommend these men for the King's Medal? Sir, it is impossible to expect any honest conduct on the part of the present

28th January 1931] [Mr. Sami Venkatachalam Chetti]

police force; because you are laying down these abominable acts as the rules of conduct. Again, the Commissioner of Police, who has absolutely no business to issue instructions to the District Superintendents of Police, exceeds his powers and telegraphs on the eve of the visit of the Simon Commission here for the arrest of Mr. Sambamurthi, in order to avoid trouble here. Then the District Superintendent is between the devil and the deep sea. Here is a Commissioner of Police, who has every chance of becoming the Inspector-General of Police issuing instructions to do a particular thing which the Superintendent himself did not think necessary. What is he to do? He was himself wavering and hesitating; then the Commissioner of Police pulls the chains here; then goes a telegram and Mr. Sambamurthi is arrested for no offence at all, but for avoiding a threatened disturbance in the City of Madras.

"Then again, Sir, in Coimbatore—and my friend Mr. Ratnasabhapathi Mudaliyar will be in a position to speak on that and vote with me—the conduct of the police was despicable. But the action of the police in all places pales into insignificance when we take the Peddapuram incident. I challenge any hon. Member here to get up in his seat and justify the action, the nefarious conduct, of the police at Peddapuram. (Mr. Abdul Hameed Khan: What about Pandit Ganala Ramamurti?) Sir, there was a picnic party of 80 persons assembled there, talking, chatting and sipping tea. All on a sudden a lorry load of constables with the Deputy Superintendent of Police and a Circle Inspector of another division—not of the same division even—arrive there and ask them to disperse. Simultaneously with the order, they use their lathis. What is the justification for this? Well, Sir, apart from our prejudice against the civil disobedience movement, there must be a limit to these things. If you want the police force to be a useful force for the preservation of peace, for the protection of life and property in this country, our prejudice against civil disobedience ought not to 12 noon.
blind us against evils that are eating into the very vitals of the police administration. Sir, many people were wounded in that gathering. Many respectable citizens who had absolutely no mischievous tendency—that was merely a friendly gathering—were assembled in a gathering and you go and pounce upon them like mad dogs. What has the Government done in the matter? If the Government are not aware of the fact, have they collected the facts? What really their defence is, I know. There is no defence. Every attempt is being made to cook up a defence. I know the Circle Inspector, poor man, would go to the District Superintendent of Police and say: 'Well, Sir, we have been doing many things all along and you protected us. Now, if you are going to expose us, tell me beforehand, so that I may shoot myself.' This is the sort of threat which is made to the District Superintendent of Police, who says 'Never mind, I shall see if I can possibly protect you.' The Deputy Superintendent of Police says: 'What am I to do, I arrived there; I did not order the lathi charge, but the Circle Inspector ordered it. The Circle Inspector having ordered it and it was not politic for me to withdraw the order and so I allowed it to go on.' I know this will be the possible defence. This will be the confidential defence,

but I do not know what will be the defence put forward before the public. This is what is actually happening and yet the Government have not respected public opinion by publishing their version. Any Government which has got the welfare of the citizens at heart and wants to win the confidence of the public ought to come out and say, if it has really done a mistake: 'Well, we are very sorry for this action and we shall see that no such thing recurs.' That is not to be. There is that horrible mania for prestige. What is this prestige, if every action of the Government is going to be censured in the manner in which I am doing? The prestige will come in only if you conduct yourself in the manner in which you ought to. If this is the manner in which Government want to protect the people and win the confidence of the people, it will land them in difficulties.

"Sometimes, credit is taken for suppressing the civil disobedience movement. Greater men have failed to suppress the civil disobedience movement and I do not think it will be within the competence of the hon. the Home Member to suppress it. It can only be suppressed by other means than repression. The other day, we have had the statement of the Right Hon'ble Mr. Ramsay Macdonald. He said, represssion cannot subdue this civil disobedience movement. Surely, having regard to that, I do not think that my hon. Friend, the Home Member, is going to claim the credit of having suppressed the civil disobedience movement. It is not so. Nor is it a fact that the police portfolio is held for the first time by an Indian, the hon. Sir Mahomed Usman Sahib. Perhaps he is the third Member who has held that portfolio in this province. We have had a distinguished gentleman in the person of Sir K. Srinivasa Ayyangar who contemplated with equanimity the threatened resignation of superior officers of the police. We have had Sir C. P. Ramaswami Ayyar, who in a way managed the police. We are now having the hon. Sir Mahomed Usman Sahib, who I am afraid whether consciously or unconsciously skipped himself entirely into the hands of the police officers. I request him as a friend, to rise above all these blandishments of the police—the police are capable and clever people and they can bamboozle any man—and to tell them 'I am not going to be bamboozled by you, I shall have my say, I shall protect my people and shall instil confidence in the public'. Otherwise, the police force will become entirely useless in any administration.

"Again, what has been its record in the matter of detection of crimes and offences in the city or elsewhere? Half a dozen murders have been committed practically in broad daylight; numerous instances of burglary, house-breaking and theft have occurred, of which my hon. Friends the European members are too familiar—unfortunately this particular thief seems to be very fond of these European properties (Laughter). In not one of these crimes, the offender has been detected. Is it proper that such a police force should exist without castigation, without censure, without condemnation and without reprobation by the hon. the Home Member? If he really wanted to tone up the police and if he wanted to improve the police force, it would not do him good by

28th January 1931] [Mr. Sami Venkatachalam Chetti]

praising their conduct from this place, but by reproving them in dignified terms. It is not that he expects to be patronized by them. Unfortunately, his speeches indicate as though he expects to be patronized by the police. On the other hand, he must be adamant and dignified and show to them that ' here is a man whose commands we dare not disobey '. That must be the manner in which you ought to teach these police men a lesson.

" Now, regarding the Godown street picketing: It is again an unfortunate incident. In the first place, there was no justification for the promulgation of the order under section 144. What the police now does is, they go to the magistrate with perhaps bandages bigger than their heads, make the magistrate believe that they have received very serious wounds and thus bamboozle him. Then they get from him orders under section 144, preventing this meeting or preventing this act or that act—all entirely acts which are incidental to the ordinary life of a citizen and these are made offences. As has been said the other day by my hon. Friend, Mr. Raman Menon, they create an offence and then *puckdo* the man and they not only *puckdo* him, but even beat him. I know boys of thirteen or fourteen years of age were mercilessly beaten. Do you really help the merchants by your lathi beating. The merchants said: ' Save us from this police protection and in case the police comes in, we shall shut our godowns and go away '. This is the sort of protection you are giving, and for whose benefit? Did the merchants apply to you for protection? Do they now want your protection? They say: ' Save us from this police, we shall have nothing to do with them and we shall manage the thing ourselves '. That is the feeling among the merchants. It is only when the police go between the merchants and picketers, the damage to reputation and property is serious. I know by personal experience that merchants in the Godown street want to be saved from the presence of the police. They do not want you and yet you go on.

" Lastly, the incident of the police entry into the Pachaiyappa's College. There are two versions about that incident. I am willing to admit that some people seem to have gone to the upstairs of the Pachaiyappa's College and pelted stones on the police. Thereupon the Inspector and other people rushed into the premises and beat persons who were found there. In the *melee*, one boy of nearly fourteen or fifteen either by the police or by the mere rush, fell from the rampart of the wall and it was indeed lucky that he did not fracture his skull. What I object to is the stampeding of the bellicose Malabar Police Force. It is this stampeding of the Malabar Police Force that provokes any man. Any man with his ordinary peaceful avocation, when seeing this police parading like this is naturally tempted to try conclusions. This Malabar Police ought to be removed at once from the city—wherever it may go, I do not care. It is a significant fact that wherever this beating takes place, it is not done by the police of that district or the police stationed there, but it is the police that is imported from other places. That shows the loyalty of the police force actually stationed in the divisions, who are really repugnant to the use of force on the men whom they

[Mr. Sami Venkatachalam Chetti] [28th January 1931

daily see and come in contact. Therefore, you have necessarily to send police force to the other districts. You use mercenary forces in order to beat the people. Perhaps the most effective protection you can render humanity is by means of the Malabar Police and therefore you make full use of it. This Malabar Police was originally constituted, I believe, in order to combat all emergencies like the present one. If they are specially and particularly constituted for that purpose, why should there be special allowances for doing some dirty act for which they were originally intended and why should they be given special allowances? During ordinary times they are quiet and during emergencies they are called for assistance. I do not see why there should be any special allowance for these people.

"Then, one more astounding thing that I see in the explanatory note is that the hon. the Home Member is contemplating to make the special reserve police force a permanent one. That is really, Sir, a far more serious matter. We are now face to face admittedly with extraordinary state of affairs. There is the civil disobedience movement, there is a general disaffection against the Government and there is no doubt a spirit of lawlessness. In order to combat these things you want a special force. Is it really the intention of the Government that this discontent, this extraordinary state of things, this unusal lawlessness should continue in order to justify your special reserve police. I thought that every action is being taken to assuage the feelings of the people to get round to peaceful atmosphere and to be more friendly. What is the meaning of your asking for a reserve police to be made permanent? Is it that you anticipate this extraordinary state of circumstances should continue for long? This is a mentality that ought to be criticized and no amount should be given for the continuance or the permanence of the special reserve police force.

"Again, one word with regard to the special reserve police force. In making recommendations to the Retrenchment Committee, I find several hon. Members including the leader of my party, Dr. Subbarayan, making references to the special force. It is a quasi-military force. Dr. Subbarayan and one or two others, naturally took objection to investing the ordinary police with any such quasi-military weapons. They are guided neither by military law nor martial law. They are given certain instruments, in the use of which they must be actuated by high ideals and noble traditions. As in the case of the military, these people have no such thing to look up to. They are only guided by civilian police who are trained to deal with murders, assassins, burglars and dacoits. To have them put under the commands of police men invested with military weapons is an anomaly. We can trust with such weapons in a military battalion, but surely we cannot entrust these ordinary people who have had no discipline and no military training with such weapons. On that account, I think the circumstances have justified the doubt, the suspicion and the fear which those hon. Members have had of the use of these weapons. They have been very heartless in their use of weapons and they are brutal in dealing with people. There

28th January 1931] [Mr. Sami Venkatachalam Chetti]

is a feeling that whatever may be done by them will be condoned by Government. Now, if anybody is to be charged with disaffection and all those things, which are enumerated in Section 124-A, it is the police force under the auspices of my hon. Friend, the Home Member. None of us have got so much grievance against the British Government as those who have received wounds by the lathis of the policemen. Every wound that is caused by the policemen's lathi on unprovoked and unmerited persons without justification, is a great sedition against the British Government. It is unfair to the Government under which we are living that we should encourage this kind of anarchy by means of the police in this province. It is unfair to the European residents of this province to use the police against peaceful people, because the ordinary man in the street feels that he receives the lathi wound not by the orders of an Indian but that the Indian policeman is doing it under the orders of an European officer. I therefore ask the hon. Members representing the European community that in their interests, it is necessary to see that the police lathi is not used upon peaceful citizens or upon peaceful gatherings without provocation and without justification. I can understand this lawlessness being dealt with in the manner in which a civilized Government should deal with them, but you should not deal in the same manner with people who have nothing to do with the civil disobedience movement and on persons who have been spending their time peacefully. Under the cloak of law and order, you pounce upon a picnic party like a pack of hounds. Sir, I will only request hon. Members in this House, in the name of dignity of the Indian nation, in the name of the residents of this country and in the name of the electors of this province to insist upon certain statements from the hon. the Home Member. It does not matter if this Council sanctions this expenditure, or not. His Excellency has got the fullest power to utilize the money. We know that, but we have got to discharge our duties by the people whom we represent.

" If we really feel that the lathi charges were justified, that we did 12-15 p.m.
merit those charges, then by all means it is our duty to vote for this demand. But if we did not feel that, it is our paramount duty, whatever may be our friendship to Sir Usman, whatever may be our feelings for him, whatever may be our past connexion with him, to say to him now, ' Well, Sir, we have come to the parting of ways and so we cannot as self-respecting citizens vote with you on this demand unless we deserve to be treated by the police in the manner in which we have been faring at their hands all along.'

" Sir, I expect the hon. the Home Member to say that with regard to the Peddapuram affair he will institute a committee of inquiry to find out the truth of the allegations made. I am prepared to produce photographs of persons who have received wounds, the sight of which is sure to move even the stoniest hearts among mankind. I expect the Home Member to have some regard for the feelings of the public. I expect him to feel his responsibility as Home Member in this Council and say that he will institute a committee of the Government in regard to this

[Mr. Sami Venkatachalam Chetti] [28th January 1931

Peddapuram affair, and that in regard to the unnecessary use of force he will issue instructions to the police to behave better. Perhaps he will here justify their action. But may I submit to him that there is no use of merely saying that Government are satisfied with the conduct of the police and that there is nothing to warrant the appointment of a committee of inquiry. He must realize that these expressions are intended not merely for the responsible members of this House but also to the public outside. I want to know if there is any single gentleman here in this House who does not feel humiliated at the treatment meted out by the police to the gathering at Peddapuram. If the House feels that the members of that gathering were arch-conspirators, arch-seditionists and arch-mischief-mongers and that they were behaving like rebels then by all means vote for this demand. But if you feel that the action of the police was unjustified, illegal and cruel then it is up to you to say that the necessity for the outrages of the police should be inquired into. Sir, there is nothing lost in appointing a committee. If their slate is clear then they will come out of the committee with brighter colours, and then that verdict will be in the interests of peace of the country and the prestige of the Government. Otherwise it will stand to the discredit of the Government that they assaulted a harmless, unarmed assembly, robbed them of all their possessions, humiliated them and hunted them like cattle and dogs. Therefore, Sir, it is up to the self-respecting members of this House to say that we shall not be treated precisely in the terms of a negro or a dog."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—" Mr. President, Sir, I have much pleasure in seconding the motion proposed by Mr. Sami Venkatachalam Chetti. I am not going to cover the ground that my friend has covered. And I propose to be as brief as possible. Practically all of us here in this House recognize that the civil disobedience movement is a movement deliberately to break the law; and had Government decided to act also in accordance with law all of us here on this side or possibly the whole House would be glad to support the Government. But what is it, Sir, the Government have done? In practical action there is neither law nor order. Government's action in the Police department has been characterized by a series of what one must call atrocities. The Code of Criminal Procedure lays down the procedure to be followed in the matter of assemblies that threaten to be disorderly. Firstly, Sir, the assembly has to be declared unlawful, and secondly, Sir, if the assembly shows any inclination not to disperse on being ordered by a police officer, or if it shows any disposition to become riotous the police are authorized to use force in the dispersal of such meeting. Now, Sir, I shall try to show that the action of the police with reference to one incident with which I happen to be particularly well acquainted, that the action of the police has been entirely unjustified and absolutely illegal. I am referring to the beach meeting of the 27th April last. It was a meeting called together by prominent members of all parties in this House as well as members of all parties outside this House in the city of Madras. The meeting that

28th January 1931] [Mr. R. N. Arogyaswami Mudaliyar]

was called for was to condemn the action of the police, namely the lathi charge made earlier in that very same month. This meeting, unusual as it was, was not banned, and one would have expected considering the action that Government have been taking with reference to so many other meetings, this meeting too would have been banned. But it was not so done. Then, Sir, on the beach, on that particular evening, there was a gathering, which at a very moderate estimate has been put down to amount to 50,000 people. The whole gathering covered practically the whole sand area in the marina opposite the Presidency College and extended on the south as far as the Ice House and on the north presumably up to the Senate House. This huge gathering was covering the sands and was practically covering the whole roadway as well. The police had no business to be there as there was no question of regulating traffic. In fact the traffic was not diverted. And one would have expected that from the purpose for which the meeting was called, which was evidently to condemn the action of the police and considering also from the fact that the meeting was not banned, the police might have kept away. They might have been in readiness, I do not ask them not to be in readiness, to act in case of any emergency. But Sir, their presence right on the spot acted as a provocation. And not only did the police not regulate the traffic, not only did they not keep away as the police have done in many other cities, particularly in Bombay, but when they found that it was not possible to regulate traffic but it is stated that on the provocation afforded by some people standing on the road throwing stones on the policemen, lathi charge was started. Now the point I wish to emphasize is this. After charging the people on the road the police descended to the sands. The huge gathering that was assembled on the sands attending the meeting and that was not loitering on the road got no notice to disperse nor were they asked to disperse. The only manner in which they came to know that the meeting was going to be dispersed was when the police were actually on them, i.e., when the police were beating the people up and down the sands. There were 20 to 30 sowars chasing the people up and down. Sir, the night was absolutely dark. And it has also been proved that on that day practically all the lights in the marina were put out absolutely. And in this darkness people were chased sometimes to the north and when they had gone some distance they were driven back by some police from that side and so they had to turn back and retrace their steps; but here too they were set upon by the police and so they did not know to which side to run. A huge crowd must in all reasonableness be given sufficient time to disperse. Unfortunately in this country the laws of England do not find a parallel. In England a magistrate has to give to an assembly one hour's time to disperse. Now it is unimaginable that a huge crowd can disperse in no time and that the police should be on them and drive them north and south and east and west and not allow them to escape along the only avenue open to them. Now this chasing of the people on all sides is nothing short of brutal. While the previous action of the police has exasperated public opinion, the incident that I refer to, namely, the incident that took place at the meeting convened

to condemn the action of the police by all parties both inside and outside this House, has all the more exasperated public opinion and even alienated the support of those reasonable people who would otherwise have stood with the Government in all its legal actions. There is not a man who calls himself an Indian who does not resent with all the strength that he can command the unjust and illegal actions of the police. As I say the action of the police is entirely unjustified even from the standard of law. There is only one other point I wish to refer. Hon. Members of this House who are better acquainted than myself with the many incidents connected with the brutality of the police in various parts of the Presidency will no doubt speak on this motion. And so here I wish to confine myself to one point; and that is the award of King's Police Medal. Now, Sir, if one looks at the Gazette notification published last week describing the services of those officers who, with reference to the beach incident that I just referred to, have been awarded King's Police Medal one would be inclined to laugh but for the tragedy behind it. Now, Sir, if one reads the record of service of these people for which they have been awarded the medals one would think that one was reading the despatches of victorious generals who have won a great victory in a great war against tremendous odds. But really what do we find? A few policemen going about beating the people with lathis and riding down with their horses on unarmed and absolutely non-violent people. I do not see in this achievement of the police any very great glory. They have run no risk to their lives. And what is it that
12-30 p.m. they have done? It is putting a premium on lawlessness and cruelty. I think, Sir, that the demand with which the hon. the Home Member has come before this House is almost an insult to the commonsense of the hon. Members of this House and I hope, Sir, for these reasons, the House will vote down the grant and support the motion so ably moved by my hon. Friend."

* The hon. the PRESIDENT:—"The question before the House is to reduce the allotment of Rs. 6,19,595 under Grant XVI—Police—Reserved, by Rs. 100. At this stage, I have to inform the House that, in order to avoid the repetition of speeches and arguments and also to have a consistent and comprehensive debate upon the whole subject, I propose to have this motion and all the motions given notice of under this grant, debated together and the decision of the House recorded on this particular motion. In calling the speakers, I will give preference to those hon. Members that have given notice of token motions and later on call on other hon. Members who are desirous of speaking on this motion."

* Mr. A. B. SHETTY:—"Mr. President, Sir, during the last budget debate on the police demand in which you, Sir, when you were occupying these benches and I, took part, the hon. Home Member was good enough to thank us for the points raised in our speeches and he was considerate enough to say that our remarks will receive his earnest attention. I do not expect that he would be pleased to compliment me

for what I propose to say this time. I particularly wish to draw his attention to what I said in the last part of that budget speech of mine regarding the attitude of the police towards the public and the necessity for a change of spirit on their part at a time like this. Sir, the police service exists mainly for the purpose of preserving law and order which we all admit is quite essential for civilized existence. The police must keep themselves within the limits of law; they must have a scrupulous regard for the law themselves if they want to maintain public respect for law and order. I do not think, in the light of what I personally have seen and read, that the police have kept themselves within the limits of law; on the contrary they have overstepped the limits of law and have committed excesses, in every place and in every district. When questions were asked yesterday and to-day about police excesses in Mangalore, the hon. the Home Member satisfied himself with only saying that the Government have no information. Sir, the police have created a new class of crimes out of acts which cannot be called offences according to the provisions of the existing law. The wearing of Gandhi caps, the hoisting of the National flag, peaceful picketing and such other acts have become offences now and the police are freely using lathis on satyagrahis and they are belabouring innocent and peaceful people also. Now, Sir, picketing, even according to the provisions of the Picketing Ordinance of the Viceroy is no offence if it is limited to peaceful persuasion. The highest courts in the land have held that peaceful picketing cannot be illegal under the Ordinance. But picketers whose creed is non-violence and who stand up with folded arms and entreat people not to buy foreign cloth or to drink liquor, are mercilessly belaboured when they cause no obstruction and there is no necessity for such beating—not only picketers, but also onlookers and peaceful and respectable citizens are beaten and chased and belaboured. We all know what is going on in Madras to-day. The South Indian Chamber of Commerce have given expression to the feeling of resentment which the public feel in this matter in their letter to His Excellency the Governor. They have protested against the use of violence by the police on peaceful picketers and on innocent citizens in the streets. The police have similarly used excessive force for dispersing public meetings and processions when there was no need for it and when there was no occasion to apprehend that there would be any disturbance of peace or obstruction to traffic. In many cases, they have done it without giving even sufficient or due warning. The Premier's speech at the close of the Round Table Conference and the release of the Congress Working Committee Members was expected to usher in a new era of peace and conciliation, but the Madras Police have not yet changed their ways as it is evident from what they did at the Pachaiyappa's College day before yesterday. The hon. the Home Member in his speech in November last during the adjournment debate regarding use of force by the police in dealing with the civil disobedience movement said that the police had acted with great restraint and behaved admirably well and he paid a glowing tribute to them

for the splendid manner in which they have discharged their duties in combating the civil disobedience movement. Further he asserted that the measures used by the police in suppressing this movement had been absolutely civilized. I invite the attention of the hon. the Home Member to the reports of Non-official Public Enquiry on what happened in April last in Madras. One of these Committees was presided over by the President of the Madras Advocates' Association, one who has been conferred the title of Diwan Bahadur by the Government; and the other Committee was presided over by a responsible Member of this House who held the responsible position in this Government as Minister—I mean my hon. Friend Diwan Bahadur Arogyaswami Mudaliyar. As a result of the enquiry made by the first committee, they came to the conclusion that there was no justification much less any necessity for the free use of the lathis on the satyagrahis and other members of the public and for the infliction of any injuries, and the second committee say in the course of their report that not only were people who fell unconscious not helped, but even people who were carrying away the unconscious were attacked and beaten and that people who were surrounded on all sides by the police and could not escape were beaten until they fell down unconscious. These are facts which deserve the serious consideration of the hon. the Home Member who is responsible for the good name of the Police Administration in this Province. Government have not so far chosen to explain or to justify under what law lathi charges are made on non-violent people who don't evade arrest by the police or offer any resistance. What is the necessity to beat people after they fall down unconscious and what is the justification for pursuing and beating innocent persons in the streets who run away and take shelter in houses and shops and lanes? Probably, this sort of indiscriminate beating and use of violence on the volunteers as well as on innocent citizens is done with a view to crush the spirit of the civil resisters and to strike terror in the hearts of the people. How far has this policy succeeded? It may suppress for a time open demonstrations of political discontent, but it only drives it underground. You cannot subdue by force the spirit of the time. Public opinion has been outraged and public feeling has been very much embittered by the inhuman and barbarous way in which the police have dealt with the civil disobedience movement. The frightful methods of the police have enlisted sympathy for the sufferers and gained support for the Congress even in circles which were not in favour of the civil disobedience movement. The Prime Minister's speech in initiating the debate on the Round Table Conference in the House of Commons was referred to by one of the previous speakers. Let the Madras Government take particular note of what he says about repression. This repression, he says, will bring neither credit nor success to the Government. I trust, Sir, that all the members of the House, both elected as well as nominated, will vote for this cut-motion and show their disapproval of the methods adopted by the police in combating the civil disobedience movement."

28th January 1931]

* Mr. K. Koti Reddi:—" Mr. President, Sir, it is rather unhappy that the attempts that are being made by the Government to suppress the civil disobedience movement are made with the avowed object of crushing the movement by any means available. I do not know whether the Local Governments have had instructions from the Government of India with regard to the policy and methods they have to pursue in meeting the situation created by the civil disobedience movement. But so far as the methods that are being adopted to meet the situation are concerned, I can only say, that in many cases they are not justified by the necessities of the case permitted by any procedure known to law. I can conceive of situations when meetings have to be dispersed, meetings which though met for a lawful purpose would, if it is not so done, end in violence or breach of the peace. But, Sir, the way in which lawful and peaceful gatherings have been dispersed by the police is most offensive and uncalled for. If the English constitution is legitimately proud of or is noted for anything, it is for what is called the rule of law, and for the way in which the rule of law has been administered and I believe, Sir, that the traditions of the English constitution have been handed down to the Indian constitution and so far as I can see there is absolutely no procedure which gives the police a *carte blanche* to do as they like in dealing with movements like these. Sir, let up take one or two concrete instances in which the police have used the lathi. Let us first look into the incidents of the Peddapuram affair on the 21st December 1930. What was the object with which the gathering met? I wish we had information from the hon. the Home Member in answer to our questions to him as to the exact nature of the gathering. But unhappily the answers are yet to come. So far as I could see there is absolutely nothing which would show that the gathering was assembled for a purpose other than lawful. Every indication shows that it was a peaceful gathering assembled for a legitimate purpose. It was a social gathering, a picnic party. It was a gathering where many of the leading men of the district met at the invitation of a respectable citizen of that district. From the fact that regular invitations had been sent to various guests and from the fact that some of the invitees on their way even invited, as I understand, one of the Sergeants to take part in that function and from the fact that a few of the invitees left the place before the function came to a close, one can only infer that the purpose for which they had met there was not unlawful. The gathering was 12-45 p.m. a perfectly legitimate and peaceful gathering. Unless the Government can convince us that the men who were gathered there met there decidedly for an unlawful purpose, a purpose which cannot be said to be legitimate, the responsibility on the Government is very heavy to prove that the force that was used on that occasion was necessary to disperse the gathering. I challenge the Government first that the gathering was a peaceful and lawful gathering which the police cannot legitimately and lawfully disperse. If Government can show that that gathering was an unlawful assembly at the time of its meeting or

[Mr. K. Koti Reddi] [28th January 1931

became unlawful during the course of the meeting, still I am bound to maintain that the force that was used was altogether excessive and out of all proportion. Sir, it is a grave constitutional issue how far the legitimate activities of peaceful citizens can be light heartedly and easily interfered with by the whims and fancies of the police. I am bound to say, from the way in which the police have been behaving, they are converting the present administration into more or less a police raj. This is not the time for me to comment on the way in which the magistrates have been helping the police, but I am bound to say that the police in trying to meet the civil disobedience movement is generally acting brutally, and no Government, which calls itself civilized and which has the slightest idea of how to administer the laws that have been framed without incurring unnecessary displeasure of the public, can afford to countenance most of the acts of the police. It is definitely laid down that in dispersing a gathering which is either an unlawful assembly when it met or converts itself into an unlawful assembly during the course of the gathering, more force than what is absolutely necessary for dispersing it should not be used. At p. 513 of Dicey's 'The Law of the Constitution' certain remarks are found which are applicable in such cases. It is said: 'The degree of force, however, which may lawfully be used in their suppression depends upon the nature of each riot, for the force used must always be moderated and proportioned to the circumstances of the case and to the end to be attained.' This is taken from the Ackton Colliery Case Report. It is a case in which there was a big riot and the military authorities who fired were subsequently charged for having exceeded the power. Again in the same report the following words are used: 'Was what they did necessary, and no more than was necessary, to put a stop to or prevent felonious crime?' In doing it, did they exercise all ordinary skill and caution so as to do no more harm than could be reasonably inflicted? Let us see how far the police have succeeded in using the caution that is absolutely necessary in dispersing the meeting. I am told that this meeting was ordered to be dispersed and as soon as the order was given the word 'maro' was uttered at once. Ordinary courtesy, ordinary methods of dealing humanely with any gathering which is proclaimed an unlawful assembly requires that some time must be given for the meeting to disperse. In England in the case of riotous assemblies ordinarily an hour is given for dispersing. In the case of an ordinary gathering like this, a gathering which met there for a lawful purpose, simultaneously with the order for dispersal, the order 'maro' was also given. So it is clear, no caution was used. Is it or is it not an instance of an absolutely reckless behaviour of the police? Again, Sir, what was the purpose aimed at in dispersing this meeting. As I have pointed out from the report of the colliery case the force used ought to be in proportion to the circumstances of the case and the aim to be attained in dispersing the meeting. If, as a matter of fact, the gathering refused to disperse I can understand the use of some force. If the avowed object of the police is to disperse the meet-

28th January 1931] [Mr. K. Koti Reddi]

ing, is it not necessary that some time should be given to disperse? Even if they refused what was the force that was necessary for the purpose of dispersing that meeting? The nature of the wounds that some of the injured have received clearly shows that the police behaved most brutally, most inhumanly and most recklessly towards this ordinary gathering. It was a picnic party in a big garden surrounded by prickly-pear. I was told that there was only one entrance and that entrance was blocked by the police lorry. It was practically impossible for them to disperse except through that entrance. That was the way by which the police wanted to disperse them. At present we have no more reliable information about the incident, but the statements of some of the people concerned and so long as there was no contradiction on the part of the Government based on reliable evidence, I believe we are bound to credit those statements of members who visited the place. One of them a doctor, who, after hearing that some men received injuries, went to the spot to give medical aid, stated, 'I saw an Anglo-Indian Sergeant who was standing at the entrance of the garden and asked him, if I could go in and give first aid to the injured. He gave me permission and also proceeded about 20 yards with me. Then he went back leaving me to do my work. Immediately Mr. Subba Rao, Circle Inspector, Pithapuram, came and I assured him I came in with permission. Nevertheless I was given two blows on the front of the left thigh and two on the back of the right. Then I fell down. They went on beating me for some time. I got twenty to twenty-five blows on the back.' That is the way in which he was dealt with. Even the ladies, Sir, did not escape the blows of the police. Miss Kameswaramma received two blows on the thigh. Some were beat and they fell down unconscious. One who received the most serious injuries is Kodeti Rangacharyulu who is still in the hospital. Pyda Venkatanarayana also received severe blows. He was surrounded by seven or eight constables in spite of his trying to run away. If there is a necessity for dispersing an unlawful assembly, I can conceive of some cases where force is necessary. But even then the force used must be only in accordance with the necessities of the case. When the avowed object is really to disperse these people and when these people did not show any resistance for arrest, all that they should have done is to ask the people to disperse and if they did not, instead of giving them severe blows, should have arrested them. In this case there was no question of arresting; they were ready to run away, but they are not given the chance and every one is beaten mercilessly not only the invitees, but the motor car drivers, cooks, etc. One harmless thing the police did and that is, as they were hungry, they took part in the sumptuous refreshments that were provided there.

" Then, let us come to the case of Coimbatore. Here again is a case of a peaceful gathering assembled in a public hall, for a legitimate purpose, being molested by the police. I understand that the object for which they met was to advocate the boycott of foreign cloth. Sir, 1 p.m.

I do not think that the Picketing Ordinance has been extended to this Presidency. I do believe that the boycott of foreign cloth, the boycott of even British cloth, is not by itself an unlawful act. If the peaceful citizens of Coimbatore had assembled in the Town Hall for asking the people not to buy foreign cloth, what is there to think that that gathering is an unlawful assembly? The Deputy Superintendent of Police, the Circle Inspector and some constables went to that place, asked them to disperse, and in a moment began to rain lathi blows on them. It seems about six or seven people received very severe injuries, while there were several others who escaped with slight injuries. What justification is there, I ask the hon. the Home Member, for asking that assembly to disperse, and even if there is justification for apprehending that they were assembled for an unlawful purpose, why should these lathi charges be made on the people who were prepared to disperse? In this case, I may be told that the picketers refused to disperse and insisted on sitting there. They could have been arrested. In any case there was no need for severe blows. But apart from picketers, others who attended and who were prepared to disperse were given lathi blows. I do not know, Sir, if the police in this Presidency are given a *carte blanche* to use their power as they like. I do not know where the inspiration for their actions comes from. But if the Viceroy's pronouncements have to be credited with that sincerity, that we are accustomed to credit him with and I believe quite rightly, I do hope that the hon. the Home Member would draw some lesson from his statement. So long ago as 22nd of December last, the Viceroy in his speech at Calcutta before the European Association has said:

> 'However emphatically we may condemn the civil disobedience movement—and nobody can feel more strongly than I do the harm that it has done and is doing to the cause of India—whatever powers we may find it necessary to take to combat it so long as it persists, we should, I am satisfied, make a profound mistake if we under-estimated the genuine and powerful feeling of Nationalism that is to-day animating much of Indian thought. And for this, no simple, complete or permanent cure ever has been or ever will be found in strong action by the Government.'

"Recently, this statement has been confirmed by the Premier, Mr. Ramsay MacDonald. As my hon. Friend, the Member for the City, pointed out, if there is any one reason above others that is responsible for the rapid spread of the civil disobedience movement, it is due to the way in which the police administration is now carried on. We find even a European, Mr. Horace Alexander, remarking thus: 'Police repression had been used in many parts "just to show people a lesson" quite apart from any immediate need to deal with unruly crowds.' That is exactly the purpose with which the police dealt with the people gathered at Peddapuram. The police do not pause to think whether there is necessity for using any force and if so to what extent. They seem to believe that the people must be taught a lesson, and for that purpose they use so much unnecessary force. That is why Mr. Alexander used the words 'just to show people a lesson.' That is how he characterises the action of the police. Again, Sir, another

28th January 1931] [Mr. K. Koti Reddi]

Englishman, Dr. Thomoson has also said that the strong hand—which my hon. Friend the Home Member believes in, at any rate in the administration of the police department—is absolutely of no avail in putting an end to the civil disobedience movement. I only hope, Sir, that conditions will improve in the future, and that the legitimate peaceful activities of the citizens will not be unnecessarily interfered with by the police and that the advice that has been given by higher authorities like the Premier and the Viceroy will be taken into consideration in dealing with the civil disobedience movement.

"Those two instances, Sir, Peddapuram and Coimbatore, show vividly the illegitimate, unnecessary and reckless use of force by the police, so that we have begun to think that after all, we are living in these days in a state of savagery in spite of 'the rule of law' derived from the British constitution and supposed to guide us in India. The way in which the hon. the Home Member is allowing the police in this Presidency to behave towards peaceful citizens in the legitimate exercise of their ordinary avocations, I am afraid, will lead to much bitter feeling against the Government. I may mention, Sir, in this connexion a recent incident in the Cuddapah district. When some citizens observed the way in which the police dealt with the satyagrahis who were doing peaceful picketing, they said, 'what is this? Why should satyagrahis submit themselves to the way in which the police are treating them? Should we not go there with sticks and beat the police and rescue the satyagrahis from brutal treatment?' If there is one man in this country who is really responsible for the peaceful way in which this movement is being conducted, he is Mahatma Gandhi. But for him, but for the creed of non-violence which he has been impressing upon the country, I am pretty sure that in the face of the provocation caused by the manner in which the police are using force here, worse things would have happened. People would have become unruly. There are so many other incidents in which the police unnecessarily interfered with the peaceful activities of the people. National flags are being removed by the police. Recently, in Tinnevelly, the District Superintendent of Police banned a particular cinema film, at any rate, some portions of the film which seemed to be offensive in his eyes. A certain cinema company was exhibiting a film in which the heroine plying a charka was shown, and it appears the audience cried 'Mahathma Gandhi-ki-Jai' at the time when that scene was exhibited. The next day, the District Superintendent of Police called on the agent of the company and asked him to expurgate that portion of the film relating to the plying of the charka, as he apprehended a breach of the peace. Then, again, Sir, in peaceful processions in which photographs of national leaders are being carried, the police scent breach of the peace and interfere with them. Such cases of stopping processions of people carrying portraits of national leaders happened recently at Kottapatam, a place near Ongole and in another place at Valavanoor. Advantage has been taken by the police of the preventive sections of Criminal Procedure Code to go to the

Magistracy and get orders for stopping such processions. They go to the Magistrate and tell him, 'we won't be responsible for peace; unless the procession is stopped, a breach of peace will occur.' That is how orders under section 144 are obtained, against the exercise of legitimate activities of the people. It is a maxim, Sir, of the English constitution that the fact that the exercise of the legitimate activities of a citizen provokes another man to commit an illegal act or breach of peace is not in itself a ground for approaching the Magistracy and getting an order prohibiting the exercise of legitimate rights or declaring a particular assembly as unlawful, unless at the time the meeting takes place it is found either by the police or the Magistracy that they are assembled for unlawful purpose. Under no other circumstances, can the police or the Magistracy prevent the peaceful activities of the citizens, under the British constitution. But what is done here? Long before the meeting is announced to take place, the police go to the Magistrate and get an order not only to stop that meeting but also to prevent meetings being held for two or three months together. Carrying the portraits of national leaders in peaceful processions, I think, is a very legitimate activity in which the citizens can indulge, which ought not to be interfered with by the police or the Magistracy under ordinary circumstances. I believe there is absolutely no justification for this Government to allow this sort of unnecessary and reckless interference with the peaceful activities of the people. It only conduces to the spread of the civil disobedience movement to a greater extent, instead of putting an end to it, and I wonder whether my hon. Friend, the Home Member, does not realize this simple fact. I believe that in spite of whatever the hon. the Home Member may do to put an end to it, this movement will go on till the aspirations of the people of this country to be masters in their country are satisfied. Till then this sort of national activity will not cease. One thing we should remember in this connexion, namely, that nowhere in the world's history such an agitation for national liberty has been carried on so peacefully, in spite of the suffering caused to the people by the reckless action of the police. The picketing or the boycott of foreign goods is done by peaceful persuasion and the people are prepared to undergo any suffering for attaining their object. After all, what is the provision in the constitution for dealing with those who disobey the law ? Why use unnecessary force for dealing with them? Why all on a sudden the police come down upon a peaceful gathering of people and beat them with lathis? If they find people disobeying the law, they should arrest them and take them before a Magistrate and try them. Instead of that, what is the method they are now adopting?

1-15 p.m. "From the way in which the police have purposely assembled together the volunteers from different premises in Godown street, Madras, for declaring them to be an unlawful assembly and then chasing and beating them, one can understand the extent to which they go to gain their ends. Is this the rule of law of which my hon. Friend

28th January 1931] [Mr. K. Koti Reddi]

boasts? Is this the way in which the laws of the land are to be administered? I only hope that in exercising its vote the House will take into account all these misdeeds of the police. As I have said, there have been absolutely no reasons for the use of lathis. If there is necessity it remains to be seen how far the hon. the Home Member will convince us about the justification and the necessity for the police to go to the extent to which they have gone. But from what I have learnt, I have no hesitation in condemning them for their reckless use of force and for the brutal and inhuman way in which they have acted in certain places. The Jallianwalla Bagh incident pales into nothing before the Peddapuram incident. At Jallianwalla people were more or less aware of the consequence of their meeting in those troublous days, but here at Peddapuram it was an ordinary gathering, away from the town, assembled together for a picnic party which the police reached unawares, and beat mercilessly blocking by their lorry at the same time the only entrance to the place. It is really too much for even this Government. They will trot out the argument regarding the maintenance of law and order. Quite true, nobody objects to that. But so far as the Congressmen are concerned they have openly avowed that they would suffer the consequences resulting from the disobedience of law. You may arrest them, try them and imprison them if necessary. But what is the necessity for the use of force on all occasions? Personally, I do not understand where the police got this power of using excessive force from. So far as I have studied the law, constitution and legal procedure, my impression is that the use of force in dispersing an unlawful assembly should be the minimum necessary to disperse it. Force need be used only when a man refuses to be arrested. Has there been a single instance of that kind in all these cases? I believe none. Then why is this unjustifiable use of force? With these words I resume my seat commending the reduction in the grant.''

Mr. ABDUL HAMEED KHAN :—'' Mr. President, we the members of this House, have a very grave responsibility to discharge being the representatives of the people of this province. We have found during the last six or seven months in this Presidency that the Government have either ceased to exist or, if it exists at all, it has naturally to be termed the Police Raj. It is the police in the province which rules and it is the police in this province again which dictates the sentences to Magistrates. It is the police in this province which has the sway over the whole province, from one end to the other. I do not believe there is any member here who has been elected by an electorate, however small, who has not realized the duties and responsibilities he owes to his electorate and to the people at large.

'' Sir, I know and every one who is present here knows that a great movement has been at work throughout this country in order to secure independence, if not independence at least dominion status, for this country. Various methods have been employed during the last half a century in order to free this country from foreign domination, both

political and economic. Various methods have been employed for this purpose; appeals have been made, petitions have been sent, resolutions have been passed. The congresses met and the first resolution of the Congress in those days was loyalty to the Crown. Indian people are a very patient people. For more than fifty years they went on petitioning and praying for the redress of their grievances. And what has happened? During all this time, the grip of the foreigner over this country gradually became stronger and stronger with the result that we find the country to-day presenting the sad spectacle of her millions not possessing the wherewithal to find more than a meal a day. Sir, the last movement we have noticed in this country going on for the last ten years was the non-co-operation movement. Sir, during that period many men and women have made yeoman sacrifice in order to prove to the Government that they were sincere and earnest and have proved that those sacrifices were made for the betterment of the country. All that was of no avail. All attempts at petitioning and praying failed and then, as a last resort, the Congress came out with the civil disobedience movement. The country has been engaged in this movement for nearly seven or eight months. Sir, anybody, any child who has seen how the civil disobedience movement has been working, in this province especially, will agree with me that even though attempts have been made incessantly by the police to provoke violence, the civil resisters have resisted that temptation successfully and, not only that, they have received the blows as if they were not made of flesh and blood like other human beings, but were only pieces of stone or blocks of ice. Sir, why did they receive the blows calmly? Why were they ready to go to the jails? They suffered like this in order to show to the Government that their grievances were just and reasonable and that their demands should be conceded by the Government coming round. Sir, instead of conceding their demands, the Government of Madras, —I do not know if it is the policy of the Central Government that has been pursued by the Provincial Governments—have dealt with these non-violent satyagrahis in a very discreditable way. Sir, it is just possible that the Home Government in the centre has issued instructions to the various Provincial Governments to stop arresting satyagraha prisoners and to resort to lathi charges and force in order to create terror in the minds of these people so that they may not go back again and attempt civil resistance. It may be, let us admit for a moment, that that is the general policy of the Government of India. But, I ask, whether the Members of the Government of this Province are to be regarded as automatons in the matter of carrying out the policy of the Central Government? Are they there merely to give effect to that policy without looking into the necessities of the case and seeing whether, in handling the situation in our province, such a policy is really necessary to adopt? Are they there merely to transfer the order received from the Central Government to the Inspector-General of Police leaving him to deal with the situation as he liked with the police officers at his disposal? Is that really the fact or has the Government looked into the order? Have they from time to time given instructions

28th January 1931] [Mr. Abdul Hameed Khan]

to the police officers, from the Inspector-General of Police downwards, as to how they should deal with the different situations arising in different districts ? These are the qestions, Sir, that one might ask my hon. Friend, the Home Member, who is responsible, I understand, for the administration of law and order in this province.

"But the facts are different. It seems to me that a *carte blanche* has been given to the Inspector-General of Police by the hon. the Home Member in order to give lathi charges as well and as much as he likes. Where and how are these lathi charges made? The instance of Peddapuram has been described by my friend, Mr. Koti Reddi. I do not think that anybody who has followed the newspaper reports and anybody who has seen these gentlemen and ladies who were charged with lathis at a picnic party assembled at a garden in an out-of-the-way place will agree with the Government in the way in which the Police have dealt with the people assembled there. How can the Government justify the action of their subordinates when it is found that these subordinates have done such acts in order merely to get some promotion, in order to get their own sons promoted in the same Police department from sub-inspector to inspector or other superior office over their senior, and to secure a life-long pension for themselves which they do not really deserve?"

The House then adjourned for lunch.

After lunch (2-30 p.m.)

* Mr. Basheer Ahmed Sayeed:—"Mr. President, I rise to a point of order. Though it is late at this stage still when I feel it is a point of order, I think, it ought to be raised, and I want that it should be brought home to you so that there might be a ruling on this question.

"I find that the hon. the Home Member has come forward with a supplementary demand for a very large sum far exceeding the amount that was voted upon by the Legislative Council in March 1930. I find from the rules of the Legislative Council if the Government spend more than the money allotted for any service during the current year they ought to have come not by way of supplementary demands but by way of excess demands. Rule 31 of the Legislative Council Rules specifically lays down what is meant by excess demand and the next rule lays down what is meant by supplementary demand. I read rule 31. It says: 'When money has been spent on any service for which the vote of Council is necessary during any financial year in excess of the amount granted for that service and for that year, a demand for the excess shall be presented to the Council by the Finance Member and shall be dealt with in the same way by the Council as if it were a demand for a grant.'

[Mr. Basheer Ahmed Sayeed] [28th January 1931

"As distinct from that, rule 32 says—

'An estimtae shall be presented to the Council for a supplementary or additional grant when

(i) the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year, or

(ii) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the budget for that year.'

"Now, Sir, all expenditure on police service should come only under the amount voted in the budget for the current year. But, according to the explanatory note, I do not see it anywhere stated that the amount is found insufficient and that it is required and has to be found. On the other hand I find it stated from beginning to end that the amount has already been spent and that they want by means of a supplementary demand to ratify such unauthorized expenditure. On page 6 of the explanatory note (line 7) they say: 'The excesses are to meet expenditure *incurred* by the Commissioner of Police in connexion with, etc.' It does not state 'to be incurred.' They say in the next paragraph: 'The increase of Rs. 1,09,400 is due partly to increased travelling allowance *incurred* in connexion with the civil disobedience movement and partly to the alteration of the rules following the withdrawal of conveyance allowance formerly granted to inspectors and sub-inspectors of police.' On the same page they say: 'The anticipated expentditure under the unit is Rs. 3,13,000, the excess over the budget estimate being Rs. 6,300.' There they say: 'Rented quarters *have had to be provided* for the subordinate police resulting in increased expenditure.' That means the expenditure has already been incurred and no more required. If they want us to ratify the expenditure, even according to Parliamentary procedure (Pages 500 and 501 of May's Parliamentary Practice), whenever they have spent money in excess of the budgeted allotment they can only come up to the Council for excess demands and not for supplementary demands. According to the explanatory note, they require a sum of Rs. 2,50,700 and they have already incurred out of that an expenditure of Rs. 1,80,000 over and above what the Governor was pleased to certify; that money has admittedly been spent, and now they cannot come forward with a supplementary demand for that amount.

"Again, Sir, on page 8 of the explanatory note you will find the following: '37. R. C. Miscellaneous departments—Inspection of motor vehicles, etc.' The budget for the year 1930–31 is Rs. 900. The anticipated expenditure under this unit is Rs. 4,700 based on the actuals for the *first six months*. Now they want Rs. 3,000 and more. That means that while they originally had only Rs. 900 they have spent Rs. 2,350 already and want now Rs. 4,700. Then again they say, 'A saving of Rs. 400 is anticipated under the unit "Allowances—Other compensatory".' The actuals for six months could not be arrived

28th January 1931] [Mr. Basheer Ahmed Sayeed]

at unless they have incurred and expended the amount of Rs. 2,350 already. So, at least for the amount which they have already spent, they must come forward only with an excess demand and not supplementary demand.

" I find in the same page 8, paragraph 5, they want Rs. 3,300 under 'Miscellaneous departments—Motor vehicles fees—Refunds—City and mufassal' and also Rs. 600 on account of European vagrants. I have ascertained and I possess definite information that this sum of Rs. 600 has been already spent.

" In these circumstances and when they have already spent more than two-thirds of the amount stated in the note, I submit that it is highly irregular that they should come forward with a supplementary grant for all these items instead of asking for excess demand for the amount already spent. They should really come forward with excess demands and the present procedure is out of order."

* The hon. Mr. H. G. STOKES :—" While I do not doubt that the hon. Member is within his rights in raising this point of order just now, it seems to me to be one which should have been raised when the supplementary demand was first moved. As it is, we have spent a good deal of time in discussing this demand which would be entirely wasted if his contention were sound. Anyway I may say that he seems to be under some misapprehension. The point is that the grant as a whole has not been spent. These are all supplementary demands for our requirements up to the end of the year for which we come before the Council."

* Mr. BASHEER AHMED SAYEED :—" May I point out one error in what the hon. the Finance Member said? He does not say whether it is really a case where they have spent the whole amount or not. Nor does he say that the whole amount is going to be spent within the current year. Whenever they have exceeded the budget estimate and spent more than what was sanctioned, they should come forward with excess demand only."

* The hon. the PRESIDENT :—" Order, order. I do not want any further speeches. In rule 32 (1), sub-clause (i), it is stated 'the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year.' It is quite clear from that, that for any amount that may be required during the current year in excess of what has already been passed by this Council the Government is at liberty to bring in a motion for a supplementary grant and I believe that in this Council there is precedent in support of this view. I think the demand is quite in order."

Mr. ABDUL HAMEED KHAN :—" Now, that you have ruled that the grant is in order, I want to know whether the lathi charge also is in order. (Laughter.) But that seems to be the order of the day throughout the province.

" Mr. President, Sir, I wish to take the Members of this House through the incidents which took place at Peddapuram, as briefly as I

can, because Mr. Koti Reddi has dealt with this question at some length. If hon. Members of this House were to know certain features connected with that unfortunate incident, they will realize to what length, the brutality, inhumanity and insolence of the police had gone in dealing with the people who collected there. It was an occasion of a religious festival in celebrating which a certain number of gentlemen about 60 to 70 including some Congressmen also were present. They went, not into the heart of the city to celebrate their festival, not in a crowded place such as a bazaar or some such place, but to a garden far away from the town. At that function were present not only the politicians but also officials, because it was a meeting for celebrating a religious festival and not a political meeting. Even some of the police officials were invited but for one reason or another they were not able to be present. The Circle Inspector of Peddapuram was one of such invitees to the meeting but he too was not able to attend.

"If what happened in the garden at a social function was a political meeting or a conspiracy objectionable from the point of view of the police, it would have been the legitimate duty of the Circle Inspector of Peddapuram to deal with the matter according to law. That was not done; what happened was the Deputy Superintendent of Police who is perhaps the controlling officer over the Circle Inspector of Peddapuram came along with a large number of reserve police with lathis, some of them in uniform and some without. They close the only outlet, enter into the premises, and see a large number of people taking tea in the afternoon. Immediately they reached the place, the Circle Inspector asked the people assembled there to disperse. Anybody who has any sense of responsibility, who has any sense of decency, would consider for a moment whether the order to disperse was just or
2-45 not. Our friend and colleague who was here, Mr. K. V. R. Swami,
p.m. was also there; he was one of the oldest members present at the gathering; he thought the best thing was to disperse whether the order was right or wrong. He asked his friends accordingly to disperse. Every one present there obeyed his order and they were dispersing. When they were dispersing without stopping to consider whether the order was right or wrong, what justification was there for the police to charge them not only with lathis but also with the fuel that was lying there? About half a dozen persons were beaten; even though they fell down, they were beaten continuously black and blue till they fell unconscious and till they had to be carried in motor cars. My hon. Friend, Mr. Koti Reddi, has told us what happened to the doctor who, after hearing this incident, was rushing to the scene in order to render help to people who were wounded. The policemen who were at the gate, had been given instructions not to allow anybody to get in because they wanted to carry on this lathi charge without any obstruction whatever from outside. The police did not know the serious business in which they were engaged. If the Government came to know of what took place there, they would take the police officers to task. Therefore, they did not want anybody to enter the garden. The doctor

was allowed to enter by one of the first sentries. But when he came to a place where there was a large number of policemen, he was beaten; he was beaten even after he had fallen down and was running for his life. Under what law is it permitted that a medical man who comes to serve humanity—in whatever circumstances—should be dealt with in this manner? Some of my friends who were beaten at Peddapuram are still suffering from the effects of the beating; they are still undergoing treatment in Madras and elsewhere. That is so far as Peddapuram is concerned.

"There are many other places in the Andhradesa—especially in Rajahmundry—where the police officers took the law into their own hands. The police officers and the Government know that these lathi charges are not within the law. If the Government asked the police to resort to lathi charges, they did so deliberately. They charge the people with lathis not because any law is broken, not because the people are riotous, but because they want to create terror in the minds of the people so that the latter may not question the action of the Government. This is the object with which the Government has instructed their police subordinates to carry on lathi charges throughout the province. There are some officers who use such orders with some discretion; but there are some others who out-do the thing in their desire to get promotions. I know that there are some officers whose promotions have been stopped and it is these officers that are most enthusiastic because they thus hope to remove the ban. As soon as the Inspector-General or the hon. the Home Member knows that certain officers charged people with lathis, all the blackmarks which might have been given to these officers are removed immediately and their slates become clean. With this object in view the Deputy Superintendent of Police at Rajahmundry has been trying to out-herod Herod. I know that he entered at odd hours into buildings with policemen and beat satyagrahis who were sleeping at 2 o'clock in the morning including some Government officials. This officer goes to a place where poor satyagrahis are sleeping and begins to beat them. He does not know that there are Government officials also sleeping there. There is no use of complaining about these matters to the Government; they are themselves responsible for such acts.

"It is really a very sad state of affairs for anybody to hear how heartlessly some of these police officers deal with our own sisters in the Andhradesa. Even women are not free; they are molested; they are beaten in order to terrorize them; our women have shown that lathi charges may come, but they will stand firm; they say they are prepared to receive lathi charges; they are prepared to go to jail and they have actually gone to jail.

"If we come back to our own city, we find that there was calm for some time; but some people committed the sin of going to Godown street and some other portions of the city where foreign cloth is sold. The sin that three young volunteers committed was to go and stop in front of some of the foreign cloth shops and to peacefully prevent or persuade

[Mr. Abdul Hameed Khan] [28th January 1931

people entering these shops not to purchase foreign cloth but to purchase khaddar. What is the punishment that is meted out to them? If the Government wanted to be within law, their only duty was to arrest these young men if they refused to stop picketing of the shops. Instead of doing so, the police collect the two or three volunteers in front of each shop and bring them together in order to show that it is an unlawful assembly and then ask them to disperse. Whether they disperse or not they are then beaten. I heard a vivid description given to me by a Muhammadan merchant in Godown street about a young boy on Sunday last; he was refusing to move from a certain place. Under instructions from the Assistant Commissioner of Police and the Inspector of Police, the Malabar Special Police are let loose on such young boys. I do not know whether the Malabar Special Police force are human beings or not. These mighty giants—the Malabar Special Police, about half a dozen of them—are asked to belabour little fellows. This young boy is beaten even after he falls down; so much so, his head bleeds; his arms are bleeding, his nose is bleeding; even then he is beaten. Is this human? Will such acts make people law-abiding? What is the result of such acts? There are very many people who are law-abiding; there are many people who do not see eye to eye with Mahatma Gandhi and his movement. Seeing the atrocities committed by the police, these people automatically become converts to Mahatma Gandhi's civil disobedience movement. The Government has been responsible for converting a large number of people in this country into sympathizers and active participators in the civil disobedience movement, by being violent against non-violent people.

" Even on the day on which the declaration is made by the Premier, and His Excellency the Viceroy orders the release of Congress leaders, on the day when policemen and the people should rejoice that there is going to be peace again and that responsible Government is going to be introduced in this country, the police commit excesses. There was absolutely no necessity for the Assistant Commissioner and Mr. Currie, the Police Inspector, to come in lorries with the Malabar Special Police when people were simply passing from one place to another. People had closed their shops; they had no business to transact; they were going from place to place. I was passing that side; I was glad to see people conducting themselves peacefully when the police were not present. The moment these lorries come in sight and when the police show their lathis, young fellows and little urchins shout and hiss. The police force does not think that there is no harm in these little urchins hissing and shouting; these young boys are not shouting down the Government. The Government is a mighty Government. The Government is very powerful. There was no necessity to charge these young boys with lathis.

3 p.m. " These police people did not stop on the road. On the other hand, they entered into the Pachaiyappa's College. Students who were given leave that day by the Principal on account of the release of the leaders, were all assembled in the college at the time. They were about to go away. Just then, the policemen entered into the college, I believe, on

account of some provocation. But I do not know from which side the provocation came. There was no justification for that. Whether there was provocation or not, to enter into a college and to belabour students mercilessly is certainly not justifiable. The result was that two students were beaten to such an extent that they had to be carried in a private motor car to the nearest hospital. That is the way in which people are belaboured. There is hardly anyone either here or outside who does not want to have law and order. Every one wants the services of the police; but their place is defined; their duties are defined; and their responsibilities are defined. If they go out of their way and if they, instead of preserving law and order, create anarchy, then, Sir, we do not require such people; we can as well do without any police at all instead of having police of this character. We maintain the police force for attending to various duties. In ordinary times, the police is expected to prevent theft, robbery and to detect crime, etc. Recently, the Legislative Council passed an Act, the Brothels Act, which has not yet been given effect to, purely because enough policemen were not available, as they were all engaged in dealing with poor satyagrahis. The policemen have not proved that they have been successful in discharging their legitimate duties; on the other hand they are doing the unlawful duty of beating non-violent satyagrahis, unprovoked. Sir, this Government in distributing rewards, should certainly remember that rewards are given for real services done to the public, not when they are done to the Government alone. When a police officer rescues somebody from trouble or when he endangers his own life in the discharge of his legitimate duty of preserving law and order, then he is rewarded. But at present the policeman is rewarded for the number of lathi charges in which he has indulged. The greater the number of lathi charges, the greater the reward for him. Sir, is that the object for which rewards are intended? I have known of Sub-Inspectors of Police in the City who have been running behind a crowd —when there was absolutely nothing at all— to show to the Commissioner of Police that they were really doing service; and they have been immediately promoted and mentioned by the Commissioner of Police in the reports and subsequently they also got the King's Medal. Sir, is this the way in which the King's Medal is to be given, and is this the way in which promotions are to be given? Government are already giving King's Medals and titles to these officers. For instance, the last list of honours is a sufficient proof to show that policemen if they indulged in violence against Congressmen, could get titles. If they are to be given titles for such services, will they not carry on this havoc in the province, Sir?

" Sir, I said that there is hardly anyone here who is not anxious to see law and order established; but certainly not in this way. The hon. Sir Mahomed Usman was reading the Koran just a few moments back. I do not know if he is going to quote against this motion from the Koran; but I may assure him and my other Muhammadan friends here that he will not find even a word or even a single syllable in the Holy Koran to support the inhuman and brutal lathi charges that have

been made on the innocent people who do not even raise their hands in protest. If there is anything in the Koran, it is that violence should be resisted, not that violence should be resorted to against non-violent people. I hope, however, he will not quote from it. Besides, I do hope he will remember that he is there in that position, as a representative of the people, although he has been appointed by the Government. And it will not be long before he himself will be there again as an accredited leader and representative of the people on the Treasury Benches. He must realize from this moment that this bureaucratic system of Government is not going to last long. He has to inspire himself with the spirit of the coming democracy and then act—not go on continuously supporting the police officials in whatever they do. He will have to tell us: 'Well, I am going to do justice to the people; I am going to take to task those people who are responsible for these lathi charges'. If he comes forward with this explanation, then Sir, he would deserve the place in which he is now sitting. His term of office will be over very soon, and it is likely that it will be extended. Because he has been of immense help to the Government, quite naturally, as the Government have been rewarding the police officers, they may reward the hon. the Home Member also."

Mr. V. T. Arasu:—"On a point of order, Sir. Is the hon. Member at liberty to cast personal aspersions on any other hon. Member of this House?"

Mr. Abdul Hameed Khan:—"My Friend has just come into this Council and he does not know what a personal aspersion is. Sir, I never meant anything against him. I simply want him to realize that he is the people's man, to forget that at this moment he is a bureaucrat and to assure himself that he is not going to be a bureaucrat hereafter.

"Sir, I have a word or two for my hon. Friends on that side. My friend, especially Pandit Ganala Ramamurthi and my other friend Mr. Dorai Raja might come forward to speak on this motion. They are the supporters and pillars of the Government in this House, I know, and they will stand up in support of these lathi charges. But I appeal to them to remember that they are Indians, that they are people who, at least for some moments, can realize the sufferings of their brothers and sisters. I appeal to them not to do anything of the kind. My European friends are absent now from the House; but I have no doubt that they, enthused with the democratic spirit of their own country, will realize the way in which we are being treated in this country and will support this motion."

* Mr. Basheer Ahmed Sayeed:—"Mr. President, it is rather very unfortunate that the speeches on this demand have all been on this side of the House so far, and no opportunity has been afforded to us to know what exactly the attitude is on the other side, as no one from that side has hitherto spoken. But so far as I am concerned I do not want to traverse the same ground as has been traversed by my predecessors and I want to confine myself only to a few aspects of the motion now being debated upon.

28th January 1931] [Mr. Basheer Ahmed Sayeed]

"Sir, much has been said with regard to the incidents that took place at Peddapuram, but not one hon. Member has been able to say up to now what exactly were the causes that must have led to the incidents. I may say that while the hon. the Home Member will have to say something at second-hand or even third-hand, I have learnt something about the incidents at first-hand, which may be interesting to hon. Members here. Sir, the one reason why this Peddapuram incident occurred and several other such incidents might occur, is the attitude taken up by the district officials in East Godavari. There are, Sir, three or four leading public men in Cocanada and Rajahmundry and those public men are apparently at loggerheads, rightly or wrongly, with the District Magistrate and the District Police Superintendent of East Godavari. They are well-known persons who have contributed much to the public life of Andhradesa. They are supposed to be—and probably they really are—supporters of the national movement. Those supporters were attempted to be hauled up time and again by the District Magistrate and the District Superintendent of Police. If the hon. the Home Member cares to, and if he finds anything on which he wants to, contradict me, let him do so when his turn for reply comes. Let me now substantiate what I have said: Lekkaraju Subba Rao has been a leading member of the public and has been a sympathiser with the Congress. Repeatedly—and I make this deliberate statement, Sir—repeatedly he was sent for by the District Magistrate and asked to desist from supporting the national movement. As a true patriot, he could not think of doing so. There was also the President of the District Board who was elected on the Congress ticket, and he is supposed to be a sympathiser with the Congress movement. He is a respectable man and a responsible man. He was sent for and asked by the District Magistrate and the District Superintendent of Police to desist from evincing any sympathy with the national movement. Again, there is a zamindar Mr. Venkatanarayana who is intensely patriotic in his actions, and that gentleman was also sought to be put down; but he could not be put down. He would distribute thousands of Gandhi caps freely when he was asked not to wear it, and he would himself wear the cap regardless of assault by the police; he will have his car decorated with a national flag and he will open khadder depots or Congress dispensaries. As a public man, he is entitled to do so; but the District Magistrate and the Superintendent of Police would not allow him to do so, and they wanted to have their revenge on him. They therefore caught hold of this one opportunity at Peddapuram. They thought that at Peddapuram, the Zamindar, the District Board President, Mr. Venkateswarulu, a leading lawyer of Cocanada, and all were present—in fact some of them were present, while some were not. The news went to the police that all these people were present at Peddapuram and that there was also to be a picnic party. At that time, the District Magistrate and the Superintendent of Police were at Pithapuram, a place nearly seven or eight miles away from Peddapuram. If there was to be any unlawful assembly at Peddapuram of so large a number as 150 men, the District

[Mr. Basheer Ahmed Sayeed] [28th January 1931

Magistrate should have been reported to and he should have rushed to the place; but neither he nor the District Superintendent of Police did do so. Instead, they incited the Deputy Superintendent of Police and the Circle Inspector of Pithapuram to go to Peddapuram and wreak vengeance. And they did that, Sir, and to their hearts' content. That is how this Peddapuram incident came about. If the hon. the Home Member who is drawing a fat salary from the public revenues wants to satisfy himself with regard to the actual details, it is up to him to institute an impartial enquiry into the causes that led to this incident and thereby also vindicate himself and his underlings. Sir, much has been said about the incident and it remains to be seen how far it was true or otherwise. But the Government, with its usual inefficiency, has not up to this day come forward with any Press Communiqué on this incident, although they have every facility to do so. I am told the Inspector-General of Police visited the scene of occurrence thrice; but
3-15 p.m. then, why has not the Government come forward with any statement as to the truth? Does it not behove them to allay public feeling? If they are the custodians really of law and order, they should have issued their version of the story. I know, their version of the story will be coming now and, if I am to anticipate, that will be that at Peddapuram there was a Congress meeting or an unlawful gathering and that there were speeches made and resolutions passed denouncing the Government, that they were all seditious and they were given notice to disperse and that because they would not disperse, the lathi charge was made. Did they issue any order? Was there any declaration to the effect that the assembly having been gathered to commit an offence it became unlawful and so they dispersed them? Was any magistrate present on the scene? Nothing of the kind took place. Merely out of private grudge it was that the District Magistrate and the District Superintendent of Police brought about this disgraceful event. The District Magistrate, I am told, took a vow in the presence of some leading men that he would haul them up and teach a lesson. One incident will go to show the truth of this fact. Let me refer to the prosecution against Mr. Lekkaraju Subba Rao which was a thoroughly concocted and wholly unfounded one. I am sorry, I made a mistake; it is not Mr. Subba Rao; but it is Mr. Pallam Raju, the District Board President. He was hauled up before the magistrate for no offence. The police people concocted evidence and then adduced it before the magistrate. The evidence was so shabby and frivolous that it was a real travesty of justice. The real truth was that Pallam Raju was not there on the day of the alleged occurrence, but he was at Ootacamund with certain leading members of this House and perhaps, with the late Chief Minister. The police ultimately found out that it was not true that he was there on the day of the occurrence and they realized that they stood exposed and so they had to drop the proceedings against him. And even in dropping the proceedings, they adopted all tricks—very mean tricks indeed! They wanted him to make it appear that he was repenting to the magistrate, that he was apologising or that he showed some sign of weakness

28th January 1931] [Mr. Basheer Ahmed Sayeed]

and so on. These tricks and the mean methods adopted by them were exposed in the press from time to time. Those who have read the newspapers about this prosecution will remember these things. Again, Sir, I do not want to say much against my own co-religionist. I am very sorry that it has fallen to my lot very often to oppose this hon. Member,—only as a public man and as a Member of this House, and not in his private capacity as such. Very often, I have also had the misfortune of being misunderstood by this hon. Member. It is a pity that this hon. Member has not been able nor has he learned to distinguish his private capacity from his public capacity. But on this occasion, I only want to content myself with saying that my friends outside this Council have often taunted me by saying that the atrocities that are now committed by the police-raj under the head of my co-religionist are unparalleled even by the so-called atrocities of Muhammad-bin-Toghlak or of Nadir Shah. Sir, we thought that the Mappilla tragedy was the last of its kind, but we are experiencing day in and day out greater tragedies than the Mappilla Waggon tragedy. Sir, it is falsely stated by interested historians that Muhammad-bin-Toghlak committed atrocities, but those tales are belied by Muslim historians. They are malicious lies. In truth, Muhammad-bin-Toghlak was a benevolent despot—and a great monarch. Perhaps the age was one for despots and he was a despot. But what about the atrocities committed in our midst to-day under this British Raj, civilised Raj, the most advanced Raj, the Raj that carries on its shoulders the burden of civilization to the coloured races. Under that Raj, in the name of peace and order, when a Muslim gentleman is holding the office of Home Member, these atrocities are committed. I do not want to say that reward should not be given. Rewards should be given to people who are really gallant. Are the police people, armed with lathis and striking at peaceful passive resisters, gallant? Are they saving life or are they endangering life, by attacking those people? Is that an act of gallantry? It was originally the idea that private gentlemen who risk their lives, or save lives and property, or save houses from fire, or save the country or some other great thing from devastation and destruction, should be rewarded, but are the police minions doing that kind of service to-day to be rewarded like this? I know that people in the police will be rewarded. The Home Member was rewarded and there might be time enough for us to consider whether he is going to be rewarded still more or not. But, I say from this place, representing four districts, that the Muslims in those districts, nearly two lakhs in number, and I say also on behalf of the three millions of Muslims in the Presidency, that this Home Member does not command the least popularity. This is the case not merely in my own districts, but throughout all the districts in the Presidency. Let His Excellency the Governor be under no misapprehension. This Home Member, who is in charge of the Police portfolio has long ago forfeited our confidence, the confidence of the people and of the country. It is up to him to regain it if he cares to do so. It is in his hands. I do not want to be personal in my remarks. It is only in his interest I say that, if he chooses to come back as a public man he ought to behave himself. It behoves him to

[Mr. Basheer Ahmed Sayeed] [28th January 1931

change his policy. It is high time that he does it. The Premier has shown a good gesture and let the hon. the Home Member read the speech of the Premier. He said at the end of his speech that if there is to be no change of policy, there can be only repression and nothing but repression. I just want the Home Member to imagine what a terrible catastrophe it will be if the people are goaded to retaliations in their despair. The police people armed with lathis go in the midst of defenceless people and attack them for no offence on their part. If supposing the people assembled in a meeting, simply for the sake of self-defence and not on the offensive, arm themselves too with lathis; then let us imagine what the situation will be if a lathi for a lathi is used and the Mosaic law is strictly applied. What will happen and what will the hon. Home Member do? (Mr. Sami Venkatachalam Chetti: bullets.) Yes, bullets will come and there will be martial law. Are they going to call it peace after having established martial law in the land? Has not the Viceroy most sincerely admitted that martial law cannot bring peace and order to the country? As a matter of fact, the country will be laid waste and are you going to rule over a waste land? Is that the present policy of the British Government in India? I ask, Sir, this policy must be revised and there is no more place for that policy in the country now. If the Home Member is sincere and if he seeks any popularity, and cares for any regard and any public estimation, from the people of the country, it is up to him to revise that policy. It is most unfortunate that I have to hang my head down very often in the midst of my non-Muslim friends, leave alone the Muslims, on account of the misdeeds of the hon. the Home Member. The hon. the Home Member's policy demands revision and it needs immediate revision. Sir, I have had to speak of this simply because I had given notice of a motion. It was not my intention to waste the time of the House, but having regard to the unfortunate incidents—there is no end to these incidents—they naturally call us to our duty and as public men we have to perform our duty and if we fail in it, the same charge as we have been levelling against the Home Member will be levelled against us. I therefore support the motion of my hon. friend Mr. Venkatachalam Chetti."

* Mr. M. A. Manikkavelu Nayakar:—" Mr. President, Sir, I also strongly condemn the acts of violence and excesses on the part of the police against quiet, peaceful, and non-violent picketers. In doing so, I do not want to narrate and repeat the incidents that have been put forth in detail by other hon. Members of this House. I am also anxious to hear hon. Members on the opposite side of the House. Therefore, I only wish to state that the incidents that have occurred in Peddapuram and in the Godown street in this city, are enough to disgrace any administration of any civilized Government. Sir, in apportioning the blame for these lawless acts, I do not wish to apportion it on the police force at all. I wish to lay the entire blame upon the head of the hon. the Home Member. Sir, if he had only acted with grit and with a sense of responsibility and with due regard for public opinion, the police

people would not have behaved in this lawless fashion. Somehow or other, the hon. the Home Member has given an impression to the police that he is a gentleman—he is a perfect gentleman, no doubt—who is very amiable and all that, but unfortunately, he has given the impression that he could be easily moulded according as they wished and therefore the police have been doing, with a reckless disregard of public opinion, what all they liked. If he cares to regain the public regard, with which he was held a few years back, before he was elevated to this office, I will humbly request him to try to administer his portfolio with a certain amount of grit and responsibility and with due regard for public opinion. If he feels that he cannot summon up enough courage and rise to the occasion, I will again very humbly request him to hand over his portfolio of police to the hon. friend on his right, and I am sure he would administer that portfolio with greater grit, greater sense of responsibility and a greater sense of regard for public opinion.''

* The hon. Khan Bahadur Sir MAHOMED USMAN SAHIB Bahadur:—"Mr. President, Sir, of course, I expected that, in connexion with this motion, a great deal of heat would be generated. I know that the lathi beating is very irritating to the public. I should like to say that it gives no pleasure either to the police or to the Government to deliver the lathi beating, but the police have to do that and the Government have to tolerate it with great regret on account of the fact that we have to preserve law and order. I should like hon. Members of this House to look on the other side of the picture. Supposing, lawlessness occurs and if the police are not able to control the situation and if the spirit of lawlessness grows more and more, there would be absolutely no safety of life and property in this country and I am sure hon. Members in this House will then strongly condemn the policy of Government's inaction. I remember the 3rd of February 1928 when my hon. friend Dr. Natesa Mudaliyar telephoned to me and to Lord Goschen asking us 'Is the Government functioning in Madras?'' You all remember that on the 3rd February 1928 when the Simon Commission arrived in India, what the condition of Madras was and what charges were brought against the Government by responsible gentlemen like Dr. Natesa Mudaliyar.

"I should just like to say a few words with regard to the several points raised in connection with the debate that has taken place to-day. As for the cases of non-detection of murders and thefts, I should like to say that in the Administration Report of the Police Department for 1929 the Inspector-General of Police stated that the number of murder cases reported during the year was 912, a fall of 56 cases. As regards house-breaking again there was a marked fall. The Inspector-General reported that the almost uninterrupted fall in house-breaking which began in 1920 continued in 1929. The figure fell from 7,243 in 1928 to 7,178 and the decline was shared by all districts. There was an increase of 2·7 per cent in the number of ordinary thefts and a decrease of 9·2 per cent in cattle thefts in 1929. In reviewing the Administration Report the Government remarked as follows: 'When reviewing the report on police administration for 1928, the Government had reason

[Sir Mahomed Usman] [28th January 1931

to congratulate the Inspector-General and his department upon the fall in crime generally. In the year 1929 although there has been a very small rise in the figures for cognizable crime as compared with those of the previous year there is cause for congratulation on account of the fall in the figures of grave crime which are the lowest recorded since the introduction of the scheme of police reforms in 1902–03.'

3-30 p.m. "But my attention has been drawn to the fact of certain small burglaries in the city. . . (Mr. Sami Venkatachalam Chetti: What about murders?) and also of murders as my friend Mr. Sami Venkatachalam Chetti interjects. I shall draw the attention of the authorities to them so that vigorous steps may be taken to put them down.

"As regards the Presidency General Reserve the case was placed before the Finance Committee and they have arrived at the following conclusion:—

'The Finance Committee placed the scheme in class II with the recommendation that when normal conditions return the question of reducing the strength of the force should be considered. It was explained to the Committee that retrenchment would be effected by short recruitment.'

"As regards the award of rewards, as has been already pointed out rewards are given only when some meritorious service is rendered. And I can assure the House that Government have taken great care to see that no reward was ever granted to a police officer for using force against a peaceful picketer.

"The other two cases about which a great deal has been said are in connexion with the Coimbatore and Peddapuram incidents. With regard to the Coimbatore case I called for the report from the District Magistrate and also from the Inspector-General (Mr. Basheer Ahmed: Will you place it on the table of the House?. Yes, I shall do so to-morrow) and the following is the conclusion to which the Government have come to:—

'At about 3-30 p.m. on 25th December 1930 the Congress party at Coimbatore suddenly announced that there would be a meeting in the compound of the local Town Hall that evening at which addresses would be delivered on the boycott of the census, toddy shops and foreign cloth, and on the present political situation. At about 6-15 p.m. some 30 to 40 volunteers and Congressmen went to the compound of the Town Hall followed by a crowd of over 300 persons. One Jothinath Singh started singing national songs and the crowd began to swell and became restless and unruly. The Deputy Superintendent of Police, Dharapuram, then in temporary charge of the district, finding that a breach of the peace was imminent, asked those concerned not to sing and to discontinue the meeting. They asked for time to consider the question, which was allowed. After debating the matter for some twenty minutes they announced their intention of going on with the meeting as there was no order from any magistrate prohibiting it. Thereupon one Rajagopalan of Udamalpet began to address the crowd. The Deputy

28th January 1931] [Sir Mahomed Usman]

Superintendent of Police again ordered the meeting to disperse, whereupon stones were thrown and a head constable and a police constable were hit. The temper of the assembly and the necessity for dispersing it thus becoming clear, the Deputy Superintendent of Police called in 15 constables who had been kept outside and dispersed the crowd by a lathi charge.'

" This is the report I have received from the District Magistrate and the Inspector-General of Police. My Friend Mr. Ratnasabhapati Mudaliyar told me that he has certain representations to make to me with regard to this. I am thoroughly prepared to listen to what he has to say, and have them investigated.

" As regards the Peddapuram affair, the moment I read in the papers about it I called for a report and asked the Inspector-General of Police to go to the place and make inquiries, and the result of the inquiry is this:

'The Deputy Superintendent of Police, Cocanada, received information from the village authorities of Peddapuram that certain supporters of the civil disobedience movement had arranged to hold a meeting, under the guise of a picnic, in a garden in Peddapurkota village, just outside the area included in the orders under section 144, Criminal Procedure Code, at which the future plan of Congress action in the East Godavari district was to be discussed and the return from jail of certain Satyagraha volunteers of that district celebrated. On arriving at the place the Deputy Superintendent of Police found a gathering of over 150 persons, the majority of whom were listening to Mr. B. Satyanarayana, Secretary, District Congress Committee, reading aloud from a cyclostyled pamphlet (which has since been seized by the police) indicating the lines on which future Congress operations in the district would be carried out, namely, by the boycott of British goods and of census operations, by a no-tax campaign and by wilful damage to palm trees. The Deputy Superintendent of Police being satisfied that these persons had gathered there to conspire together to concert measures tending to obstruct the administration, declared the assembly to be an unlawful assembly and ordered it to disperse. Mr. Satyanarayana however continued reading from his pamphlet and the assembly showed no signs of dispersing. After waiting for some five minutes to see whether the order to disperse would be obeyed, the Deputy Superintendent of Police requested the ladies present to withdraw, and when they had done so, ordered the dispersal of the assembly by force.'

" In this connection I see a pamphlet with photographs has been circulated to the House. I shall have it examined.

" With regard to the Pachaiyappa's College incident though I have not yet received a formal report I may say this that the police did not use lathi charge at all on the morning of the 26th instant. The students of the college came out of it, and obstructed the tram and bus traffic and would not allow them to proceed. When the police arrived on the scene they found big stones being hurled at them from the college —and some of those stones are still kept in the C-1 Police station. It was not found possible to drive away the students without some use of force. I have not received the report on this incident, and when I do so I shall go carefully into it. I may say once again as I have said before, lathi charges give no pleasure either to Government or to the police.

" I am glad the situation is now hopeful. All of us have read the statement made by the Prime Minister to the Round Table Conference

and seen the generous gesture made by H.E. the Viceroy as a result of which I sincerely trust that peaceful conditions will soon prevail and lathi charges will become things of the past."

* Rao Bahadur C. NATESA MUDALIYAR:—" Mr. President, Sir, I am extremely thankful to the hon. the Home Member for the very conciliatory speech he made to-day. Sir, he told the House that I telephoned to him and also telephoned to Lord Goschen on the day of the arrival of the Simon Commission for the first time in India. I telephoned to him because the Police were completely negligent in discharging their duties. I complained to him of the absolute negligent omission then and I am complaining of the excessive unauthorized commission now. (Laughter.) I then said 'Is the British Government functioning' I say to-day 'Is the British Government functioning'. (Hear, hear.) Sir, Mr. Basheer Ahmed was telling that the speeches were all from one side of the House alone. I am sure there are speakers from all sides of the House (cries of 'yes, yes') because this grievance is an universal one. So I am only speaking for two minutes to give opportunity to my brethren and the sister to speak. Sir, the anxiety of the people who are struggling to establish goodwill between the Government and the people is not so much the civil disobedience movement for as soon as amnesty for political prisoners is declared and as soon as responsible central Government is assured, civil disobedience movement must or might disappear. But even then the bitterness of feeling engendered in the minds of the people by the perverted actions of the police is likely to remain permanently. The most recent of the activities of the police has been not only the belabouring of innocent people who happen to be by accident on the scene of their operations but pursuing their victims into any building into which they may escape, trespassing into it, beating all the inmates indiscriminately and damaging and destroying articles found therein. Sir, Peddapuram is far away from me and I have only hearsay accounts of the incidents there. Acts were committed in the city under my very nose in the incidents at Pycroft's Road and at the Pachaiyappa's College. Sir, imagine children panic stricken flying for their lives and hanging on to their masters when hounded by the police. It is only a parent that can realize the pain of mind it causes and I am almost certain to-day on account of this one incident (Pachaiyappa's) about 500 to 1,000 families are embittered in their feelings against the Government. Is it the object of the Government to terrorise the people? I spoke in the Council when the last adjournment motion was being discussed and I then said that Indians are sufficiently civilized and intelligent to be terrorised in this way. Hitherto we were thinking that our local police authorities, tactful and sympathetic as they have been, are only helplessly following the dictates of the policy of the powers that be. Now the powers from the Prime Minister downwards are exhibiting anxiety for reconciliation. Thanks to the European Association for their message to the European Association of Calcutta protesting against their attitude. Thanks to Mr. Birley,

28th January 1931] [Mr. C. Natesa Mudaliyar]

Chairman of the Madras Branch. We have known the sympathetic attitude of the missionaries. Our grateful thanks are specially due to Rev. Mr. Hogg, Principal of the Christian College, who offered prayers at the prospect of reconciliation and gave a holiday to his pupils for the release of Mahatma Gandhi. I have known the efforts of both Mr. Hogg and Mr. Birley towards how best to bring about amicable settlement. So, both official and non-official opinion are sympathetic ; whence comes this lathi charge, I cannot understand. Sir, I do not want to take up the time of the House any more. I appeal to the Home Member who is our kith and kin, and our flesh and blood to issue orders immediately to the police to desist from the lathi charge. The appeal comes from one who belongs to the same school of political thought as the Home Member did before he occupied the Membership of the Council. I appeal to him with my Friend Mr. Sami Venkatachalam Chetti from the other side. I appeal to him in the name of the Crown and the Country which is hit and mine.'' (Applause.)

Mr. J. A. Davis :—" Mr. President, Sir, I would request the hon. the Mover to withdraw this motion and not put me to the sad necessity of recording my vote. Before criticising the action of the police one should put himself in the position of the rank and file and then proceed to criticise. We should recognize that the rank and file among whom there are many Anglo-Indians, have been consistently performing their duty. They had been doing what they had honestly believed to be their duty and as such no blame could be attached to them. I would appeal to my friend to look at the matter from this perspective ; and in view of the fact that Mahatma Gandhi along with other leaders of the Congress have been released and that Mahatma Gandhi himself has stated that he has come with an open mind let us all wish that civil quiet will be restored and peaceful conditions will prevail. Now, that there is a change of circumstances and things are heading to a peaceful termination, I would request the Mover of the motion to withdraw it.'' 3-45 p.m.

* Mr. R. M. Palat :—" Mr. President, Sir, it is on account of the civil resistance movement that the lathi charges have become so prominent and a thing of daily occurrence. Force is best applied if it is directed against force and it would be misapplied if directed against a movement whose avowed object is non-violence. What is required is that the movement should be met half-way and the needful should be done.

" The hon. the Home Member referred to the incidents in connection with the arrival of the Simon Commission in 1928. That was before the movement of civil resistance was set on foot and hence that is not relevant. There is no allegation now of any violence on the part of the people.

" As for the methods that are being pursued by the police in combating this movement, one would have no grievance if the action is taken according to law and the offenders against the law are taken

before the Magistrate and put on trial. This would be quite in order and had this been done there would not be so much excitement in the country. And finally, there has been the announcement of the Premier and the marked change of heart on the part of the British Government and I would only exhort the Government to act in consonance with its spirit and recognize that 'repression will neither bring success nor credit to the Government', to quote the Premier's own words."

* Mr. YAKUB HASAN:—" Mr. President, Sir, if I intervene in this debate, my only excuse is that I do not want to record a mere silent vote on the motion before us when there is so much of excitement in the country over the matter. Sir, as long as this country is governed by a foreign nation, there would be occasions when political associations in order to attain freedom would resolve to employ all measures to bring pressure to bear on the Government of the day with a view to make them grant the popular demand. Then there is bound to be trials of strength between the rulers and the ruled. At such times it is very necessary for the Government in power to recognize that, in political struggles of this nature, it is only the respectable people who take part in the movement and that it is nothing but patriotism that compels the people to enter into the struggle. The Government on their part do naturally feel called upon to maintain law and order and resist all efforts that are put forward on behalf of the people for their freedom. They should recognize that the people are fighting for their rights in this manner only because they think that the Government are not prepared to give self-government to them. The Government should consider it an unpleasant task to have to maintain law and order in such circumstances and they should perform their duty in a manner that would impress the people of the country that the Government were not using all their resources to stamp out the movement for freedom but were only using them to see that none of the things done interfered with the peace or brought about any disturbance.

" The way the situation was being handled to-day by the police, however, showed that every policeman thought that he was called upon by the Government who employ him to put down this movement as a rebellion and that all the people engaged therein were rebels. They thought that if they frightened the people the movement would collapse. For example when the police went and interfered with the peaceful picketing of foreign cloth that was going on in the Godown Street and made a lathi charge, the object apparent to every onlooker was that the police thought that if these volunteers were mercilessly beaten they would not, nor would any other person dare come forward to do picketing again. That, they evidently thought, was the easiest way of stopping picketing.

" The hon. the Home Member has just now told us that after the Premier's speech and the generous gesture shown by the Viceroy he hoped that the civil disobedience movement will come to a termination and there will not be any occasion for a debate like this any more.

28th January 1931] [Mr. Yakub Hasan]

He should also remember that this very gesture that has been made has been made on account of this very civil disobedience movement and on account of the Congress. Sir C. P. Ramaswami Ayyar, on his return from the Round Table Conference, gave an interview at Bombay in which he said that whatever result was achieved at the Round Table Conference was to a large exetnt due to the civil disobedience movement in India. The Congress leaders have been released from jail and the Premier's speech is before them and they have been appealed to co-operate in finding a solution for the present impasse and help in framing a suitable constitution for the future. This ultimate situation ought to have been anticipated by the officials who have the administration of law and order in their hands so that they could have been in a position to-day to say that there had been nothing on the part of the Government to show that in the handling of this situation they have done anything to deserve censure at the hands of the people. On the other hand, Sir, I am very much grieved to find that the police administration has not been of an order of which we could feel proud.

"There have been two big movements in the last decade in India. 4 p.m. One was started in 1921 and that was the non-co-operation movement; and the other, the civil disobedience movement was started last year. So far as I could observe, when the non-co-operation movement was on, the Government did not behave so thoughtlessly, to use a very moderate word, as we are sorry to find they have done in regard to the present movement. It was now that lathi has become prominent. It has grown into a regular institution and in the future days when the Free Indian Federation Government becomes an accomplished fact, I think the police lathi will be encased in gold and kept in the Federal Government's headquarters at Delhi with the words on it 'It is this lathi that has put into the civil disobedience movement all the force that has made the Government to come to terms with the people'."

* Mr. V. P. NARAYANAN NAMBIYAR:—"Mr. President, Sir, during the last session of this Council the adjournment motion of my hon. Friend Mr. Sami Venkatachalam Chetti relating to the use of force by police came up for discussion, and again to-day, this House has occasion to know the great resentment and sorrow that is being felt by many law-abiding citizens of this Presidency over the police highhandedness which has been at work now for the past some months in the name of Law and Order. Distressing reports of excessive handling of situations by police have come, not from one district, not from a few districts, but from every district in this Presidency, and the blame for such happenings has to be attached not to any particular police officer, or to the Malabar Special Police, but to the policy, which unmindful of honest and well-intentioned public opinion, the Government has been carrying on. I was rather surprised that my hon. Friends Mr. Sami

Venkatachalam Chetti and Mr. Abdul Hameed Khan talked in the strain they did about the Malabar Special Police, forgetting the fact that if there are any two places in the whole of the Presidency where the struggle for freedom is being carried on in spite of all sufferings it is Andhra Desa and Malabar. My hon. Friend Mr. Abdul Hameed Khan himself said to-day that even the Home Member whom he saw 'reading Koran' in the Council Chamber 'could not escape the orders' of the Inspector-General of Police, yet he condemns the poor Malabar constable trying to do his duty. Anyway, I may assure my hon. Friend that where the Indian Nationalism is concerned we shall not stick on to 13 and 15 points. To resume, Sir, rumour has it in Malabar that the recent transfer of Collector Mr. Gawne from that district to Kurnool was because that able and level-headed officer could not see eye to eye with the police. The saddest aspect of the present situation is that our Home Member who has had sufficient experience of the tame political temper and distemper of this Presidency should allow the present policy. Neither the agonising death of Mr. Govindaswami Mudaliyar, who during the short period of his existence lived a life of rich service to mankind nor the groans of the school-going children has created a change in the situation; but the Government read in those events only the necessity to stiffen its course. At page 7 of the notes explaining the demands this is what is said, 'The events of the last few months have made it clear that a general reserve is absolutely necessary to deal with any general trouble that might arise in this Presidency. The necessity for such a reserve having been demonstrated beyond question in June 1930, His Excellency the Governor was constrained to authorize an expenditure', etc. What was it, Sir, that was demonstrated beyond doubt in June 1930? Not the necessity for an increase in armed reserve, not the absence of any other course. What was demonstrated then beyond question was a lesson which would have been anticipated by any student of history, that unmerited force can never subdue a movement, that it can never subdue a race, even though they are believed to be a subject race. Sir, the note says that His Excellency the Governor was '*constrained*', etc. Had an iota of feeling connoted by the word 'constrained' been really felt a situation which has given the rudest shock to the loyalty of even the tamest Indian would never have developed. The lathi charges came gladly to be accepted even by innocent spectators. Mr. President, Sir, having followed such a relentless policy the hon. the Home Member now comes to the House for a huge demand, and let us turn to the reasons given. Page 6 of the explanatory notes shows a lakh and twenty thousand rupees are required 'to meet expenditure incurred by the Commissioner of Police.' Again page 7 will show Rs. 2,50,700 are required to meet 'feeding arrangements', 'special rewards', 'photograph charges', etc. With explanations of this sort and photographs seen only in charges in one hand, and in the other hand, 'An account of Peddapuram Police Attack' with real photographs, what is the attitude to be adopted by

28th January 1931] [Mr. V. P. Narayanan Nambiyar]

every Member of this House? The path is clear. This House must unmistakably mark its disapproval. Again I would invite attention to page 8. It is said 'the need for a general reserve is not a temporary one. The proposal to retain the additional force and the store accountants permanently with effect from 1st April 1931 has been put forward as a Part II scheme for 1931-32'. This shows that though there might be a change of policy everywhere else, the Government of Madras do not contemplate a change at any time. It has been put down here that from the 1st April 1931 the armed reserve is going to be a permanent feature. May I take it that that date has been selected because that date happens to be the commencing date of the financial year, and not because of the proverbial fame attached to 1st of April.

"My hon. Friend, Mr. Hearson, the other day said that the time has come when every one should nail up their colours to the mast. That is so, and intimately connected with the question of repressive policy, is the issue whether this House approves or disapproves of the civil disobedience movement. May I confidently assert that every Member of this House *at the present juncture* disapproves of the civil disobedience movement, and after the recent great statement of the Prime Minister, hopes that there may not be the necessity to resort to it hereafter. But that does not mean, that every unnecessary and unwarranted step taken in connection with the civil disobedience movement will be accepted by this House. The attitude, therefore, to be adopted will be the attitude indicated by the token cuts, viz., not to turn down the whole demand but by a small reduction to censure the policy of the Government. I have, therefore, great pleasure, Mr. President, in supporting the token cuts."

* Mr. K. P. Raman Menon:—"I do not want to detain the House with a long speech. The previous speakers have been speaking about what happened at the lathi charges. Where lathi charges take place there is at least the chance of persons charged running away. But where people are charged with lathis in the lock-up, even that chance is denied them. Recently we have had a case which I personally investigated and came to know to be true which is that at a demonstration three individuals were arrested and locked up at the police station in our district. I desist giving names. If the hon. Home Member wants I am prepared to give the name of the Sub-Inspector, the Inspectors and the victims. They were locked up and one of them a boy of fifteen or sixteen years of age was asked what food he wanted. He said he wanted orange and milk. That was supplied and he thought he was going to be treated well. At about 10 o'clock at night he was asked to come out of the room and taken to another room. While he was being taken to that room he was fisted by another constable standing behind and the constable to whom he was taken began to slap him. He fell down, was taken away and told by the Inspector, 'your bones will be broken if you come here'. That is the case with everyone who takes part in such demonstrations. That is what happened in a certain place in Malabar. I am prepared to divulge the names. As

[Mr. K. P. Raman Menon] [28th January 1931

a lawyer I should not accuse persons behind their backs. I am prepared to give the names to the hon. the Home Member to cause an enquiry to be made. Numerous similar cases must have taken place. When such things are happening you can always imagine the extent to which the minds of millions have been affected by this particular change of policy of the Government. The Police department has ceased to function with regard to the detection of crimes, etc. Their morale has sunk so low because their actions are glossed over. They are there only trying to harass people supposed to be in the bad books of the Government by fair means or foul and resort to lathi charges or assaults if they can. That is the position in which the Police department is at present. The Home Member may be unconscious of these but he must accept the responsibility. It therefore behoves him to consider his policy and find out if there is a remedy and apply that remedy at once."

* Mr. K. KESAVA RAMAMURTHI:—" Mr. President, I am one of those who believe that the Government must govern and administer laws. Any violation of the law must be treated with such punishment as the law permits. But some of the police officers in their excess of zeal and enthusiasm have crossed the province of moderation. Some of them are obsessed by the idea that lathis must be used whether there is need or not. Especially the lathi charge at Peddapuram is an instance in point. I wish to read some extract from the statements made by some of those who took part in the function.

4–15 p.m. " This is from the statement made by Mr. G. B. Rama Rao, vakil, Cocanada:—

'We finished breakfast by 1 o'clock. We then resorted to music, cards, etc. Some of us wanted to return home early. Mr. L. Subba Rao said he had an engagement at 3 p.m. at Cocanada and we all, viz., Lakkaraju Subba Rao, Barrister Seshagiri Rao and Mr. Y. Venkateswarlu, myself and Dr. Vedantam Venkatakrishnayya wanted to return home. So we went to the cook, had our tea early. Mr. L. Subba Rao and party left for Cocanada at about 2-20 p.m. I wanted to follow them. Mr. Krishnayya said he would accompany me with his wife and children in my car. The party meanwhile rose for lunch. Mr. and Mrs. Krishnayya with the children and myself were seated in the car and were about to start. Suddenly I heard sounds of running constables and found them to be a posse of reserved constables rushing towards us, waving their lathis. We were seated in the car at a distance of 30 feet from the main party who were at tea. In about 30 seconds, the main party was surrounded by the reserve constables: they formed a cordon around them. Some of the reserve constables drove those that were outside into the cordon. An order " Disperse " was shouted by the police officials. Almost simultaneously, as an echo came the word " Maro " and the reserves began to beat those in the cordon mercilessly with their lathis.'

" Such an act on the part of the police has caused considerable resentment in the public mind, and even law abiding people cannot but look with grave concern on this sort of lawlessness of the police and this kind of infringement of civic rights. It is up to the Government to allay public discontent by constituting a committee to enquire into the whole affair."

28th January 1931]

* Mr. C. SATYANARAYANA CHOUDARI :—" Mr. President, Sir, some hon. Members of the House who have just spoken have been stating that there is a spirit of reconciliation, that there is a spirit of peace in the speech that has been delivered by the hon. the Home Member. I am sorry, Sir, that the speech of the hon. the Home Member is neither sound nor convincing to me. At least now at this stage, if the hon. the Home Member had said in the clearest terms possible that he would cause a thorough enquiry to be made into the conduct of the police officials against whom certain accusations are made, if he had given us the assurance that even if the negotiations for peace that are carried on between the national leaders and the Government should fail and even if the civil disobedience movement should be put into operation once again, the police would be warned to behave better and with consideration, it would mean something. So long as that assurance is not coming forth from the hon. the Home Member, I for one cannot see any *locus penitentiæ* in the speech delivered by him. Mr. President, Sir, I do not think there is any place in this Presidency which is so uncivilized, so antiquated as not to have tasted a sample of the new commodity which England out of her hungry stomach has been importing through its chief agent, Sir Mahomed Usman and Company into India. That commodity, Sir, has become very cheap. It has become so cheap that one can freely say, 'Ask and it shall be given, knock and it shall be opened.' This commodity is sometimes called lathi charges and sometimes also called police excesses. Hon. Members of this House could not have forgotten the graphic accounts of the police excesses in Madras, in the Guntur district and other places given by my hon. Friend, Mr. Sami Venkatachalam Chetti Garu, on the 19th November last on the occasion of the adjournment motion in this House on the use of force by the police. Hon. Members will remember how that motion was talked out, which virtually meant a defeat for the Government and which is said to be the usual euphemistic and the dignified way of describing Government defeats. At least after that, one would have expected the hon. the Police Member, the prodigal son of the Government of Madras presiding over the Police department, to return home repentant and reformed. I thought, Sir, that when Sir Usman was making a defence on behalf of his department from his seat in the Council, I thought, Sir, it was a policy with the Government not to openly admit the charges that are brought against it but at the same time to take note of the accusations that are being made on the floor of this House so that they may mend their future policy at least in the light of those accusations. I thought, Sir, it was the usual procedure for the Government to say that the things that have been done by their subordinates are not irregular but at the same time to take note of the complaints that are placed before them. But, Sir, I am surprised to find that all the complaints that we have made fell flat on the broad shoulders of Sir Usman. Sir Usman, Sir, has apparently broken this convention of formally defending the Government department and at the same time taking note of the complaints made in this House. The only reply that he gave to the adjournment motion on the 19th

[Mr. C. Satyanarayana Choudari] [28th January 1931

November last was a grand tea party which he organized for the benefit of the various police officials in the Presidency. At least on that occasion, one would have expected my hon. Friend, the Police Member, to have warned the police officials here and in the districts—if the word ' warning ' is objectionable and if the hon. the Home Member is afraid of the word ' warning ' with respect to those officials—one would have expected him to *advise* the police heads of the department to be more legal, to be more considerate and to be more tolerant in dealing with peaceful crowds. He has not only not done that but he has gone a step further. From what has transpired after the 19th November, I am inclined to suspect that he has gone a step further. Prior to 19th November, it was said that the hon. the Police Member had given a blank cheque to the Commissioner of Police. But after the 19th November, and evidently at the time of the dinner party or the tea party I referred to, I am inclined to believe that the hon. the Home Member has given his sub-agents in the mufassal blanker cheques, cheques, Sir, that would empower the police officials not only to fill up the body but also to put his signature to the cheques. It looks like that. Otherwise, it is impossible for me to understand the effrontry of the police, the lathi charges and the cowardly attacks of the police against a peaceful gathering engaged in a picnic party at Peddapuram.

" Now, Sir, the details of the attack of the police at Peddapuram have been put before the House by more than one speaker. One prominent feature that has been brought out in connexion with this incident is that women were not spared; men who fell down having received injuries were not spared; what is more, the doctor who went there to attend to the injured persons was not spared! It is said, Sir, that he was taking a chest of medicines with him, and that was broken. Well, these are the important features of the incident at Peddapuram. Now, Sir, if things that happened at Peddapuram had happened against the citizens of any other country, that incident would have driven the nation of the victim's land to declare war against the offending nation. Now, Sir, the Peddapuram incident has caused considerable damage to the reputation of the Government as a civilized Government. Sir, the belief of the hon. the Home Member even to-day is that law and order required the action that the police had to take in the past. Well I want to tell the hon. the Home Member here and now that law and order cannot be taken shelter under for police excesses. Law and order is a thing, Sir, in which every hon. Member of this House is interested as much as any Member of the Government. There are Members in this House who own estates, who own fortunes and who are therefore interested in seeing that there is no disorder or chaos as much as, if not more than, any other hon. Member sitting on the Treasury Bench. Therefore, Sir, I should think it is something amounting to arrogance, if I may be pardoned for the use of the word, for any Member of the Government to say that he and he alone is interested in the maintenance of law and order and that hon. Members sitting on this side or the other side of the House are not concerned. Our complaint has been not against things that have been done for the sake of maintaining law and order. Our

28th January 1931] [Mr. C. Satyanarayana Choudari]

complaint is that lathi charges are being resorted to in deliberate violation of the spirit and the letter of the provisions of law—sections 127 and 128 of the Criminal Procedure Code under which alone the police are authorized to use force to disperse unlawful assemblies. Our contention is that the provisions of the Criminal Procedure Code are being abused, not used for the purpose of maintaining law and order, not for the purpose of punishing those who are guilty of offences, but used to take vengeance, to put down and to kill all national aspirations and national spirit. It is against that that we are fighting to-day. Under these circumstances, I feel that the hon. Members of this House would be stultifying themselves, would be betraying the interests of their constituencies, if they should vote for the demand which has been put forward by the hon. the Home Member. What is this demand, Sir? He asks us to vote for money to be paid to people whom he has been employing all these days to kick our sisters, to beat our sisters, to beat our brothers, to beat the sons of the soil. Are we going to sign our death warrant? We say ' no ', we say a hundred times ' no '. The hon. the Home Member may resort to lathi charges even in this respect, if it lies in his power. It is only by force he can carry on the administration, not by our consent. We refuse to put the seal of our approval to rule the people of this land by methods which no civilized country can tolerate. On these grounds, I have great pleasure to support the cut motion and to oppose the demand."

* Mr. B. Pocker:—" Mr. President, Sir, I was very much disappointed to hear the speech of the hon. the Home Member from whom we expected a good deal of explanation as regards the very serious charges that were levelled against the Government, against the police officials and against the policy of the Home Member himself. One of the charges was that the Government have been acting only as something like a gramaphone when explanations are called for. Because we remember that some months ago, when there was trouble in the Madras Bench and a lot of misery to the people was caused on that account, a deputation headed by Mr. T. R. Ramachandra Ayyar representing the Advocates' Association waited on His Excellency the Governor. The only reply given was that the Commissioner has reported that what the members of the deputation said were untrue. The most competent body to make a pronouncement on the legality of the action of the police was the Advocates' Association. The President of that Association and some of its members including some members even of this House waited on His Excellency the Governor and only wanted an enquiry to be made with reference to the incidents that happened. In fact, it was after this Advocates' Association had itself conducted an enquiry and had evidence recorded, that they waited in deputation on His Excellency and represented to him their personal experiences, and the only reply that the deputation got was, ' The Commissioner has reported otherwise. We do not believe you but the Commissioner.' I say it is an insult to a body like the Advocates' Association. I refer to this because I contend that the Government either at that time or even now has no bona fides at all in what it professes to say. It is only just now that the hon. the Home Member said that he has called for reports as 4-30 p.m.

regards the Peddapuram affair and still he has not made any definite statement that he will institute an enquiry. I say therefore that there is no bona fide at all on the part of the Government. I remember, Sir, in my younger days the students in the lower classes being asked to write essays on the benefits of British rule in India. Now, Sir, I am sure that very soon you will find students being asked to write essays not on the benefits of British rule but on the effects of lathi rule. I say that every lathi blow and every drop of blood that is shed by such blows is a nail in the coffin of British rule in India. I give this warning to the Government that if the policy of the lathi rule is continued there is no doubt that the British rule will come to an end very soon. I say, Sir, if the Britisher has stayed in India for such a long time, it is not because of the might of the British Empire, but it is because somehow, rightly or wrongly, they have infused some sort of confidence in the people as regards the system of administration introduced in the country by the British; but the change of the British rule into lathi rule has entirely shaken that confidence. I dare say that if this lathi charge is to be the order of the day, British rule cannot continue very long. I want to say only one thing more, Sir, and that is this : It may be that certain Indian officials, highly placed Indian officials, who owe their position to the agitation of the Congress and of particular communities to which they belong but who now want to kick them on their buttocks, are willing to betray them at the present stage; but I warn the Government that sooner or later they will betray the Government also. Let not the Britisher rely on these Indian officers who have no hesitation in betraying the people and the country which has raised them to that position. In their own interest I warn the Government that sooner or later these very Indian officials are sure to betray them also. I say this because I am not one of those who believe in the severance of the British connexion, and that is the reason why I give this warning to the Britisher not to rely on Indian officials for the dishonest support—I deliberately call it dishonest support that they are giving to the Government in continuing this lathi charge. I have no hesitation in saying there is absolutely no bona fides on the part of the Government, because, if there was any bona fides on their part, they had a hundred and one opportunities of proving the same by instituting enquiries as to what is happening.

" Sir, so far as the legality of these actions are concerned, reference has already been made by many hon. Members and therefore I do not want to take up the time of the House by dwelling on it at length. The whole position can be summed up by saying that this lathi charge which has been introduced by the Government, whether by the Government of India or by the provincial Governments, is nothing but oppression and a deliberate oppression of the people by the Government and is a very illegal and inhuman method employed to root out a movement which is non-violent in its inception and which can never be turned out to be violent. In these circumstances, Sir, even after so many serious charges have been made and when a challenge was made to institute an enquiry, the hon. the Home Member in his reply did not deal with any of the points raised by hon. Members who spoke on this side. Even now he

28th January 1931] [Mr. B. Pocker]

has not clearly stated that he will institute an enquiry as regards the Peddapuram affair and the only assurance that he gave as regards the Coimbatore incident was that he will give a hearing to my hon. Friend hailing from that district—a very generous offer indeed. That is all the assurance that he gave. If the hon. the Home Member was really moved by the statement of the Premier, he ought to have taken the cue from that statement as well as from the statement of the Viceroy and undertaken to institute an enquiry at once. He has failed in the discharge of his duty in not doing so. The action of the Government in resorting to this lathi charge cannot be justified and the only way in which the Government can acquit itself, at any rate at the present stage, is to institute a public enquiry into this question and then only public feelings will be allayed. That is all what I have to say for the present."

The hon. the PRESIDENT:—" I think the House is ready to vote on this cut motion.

" The question is that the demand for Rs. 6,16,595 under grant XVI Police—Reserved, be reduced by Rs. 100."

The motion was declared carried.

Mr. Abdul Hamid Khan demanded a poll and the House divided thus:

When the hon. the President was putting the motion to vote, Messrs. Pate and Sreshta were seen entering the House. The hon. the President asked those hon. Members to keep out until the particular division was over.

Ayes.

1. Mr. M. D. T. Ranganatha Mudaliyar.
2. Mr. K. P. Raman Menon.
3. Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.
4. Diwan Bahadur M. Gopalaswami Mudaliyar.
5. Mr. M. Vedachala Mudaliyar.
6. ,, B. P. Sesha Reddi.
7. ,, C. Indrayya.
8. ,, P. Bayappa Reddi.
9. ,, A. Kondappa.
10. ,, T. Narasa Reddi.
11. ,, R. M. Palat.
12. ,, P. K. Ramachandra Padayachi.
13. Rao Bahadur R. K. Venugopal Nayudu.
14. Kumara Raja of Venkatagiri.
15. Pandit Ganala Ramamurti.
16. Rao Sahib P. Subramanyam Chetti.
17. Rao Sahib C. Jayaram Nayudu.
18. Mr. N. Gajapathi Raju.
19. ,, A. Harischandrudu Nayudu.
20. ,, K. Kesava Ramamurthi.
21. ,, Mahoob Ali Baig Sahib.
22. Sriman M. G. Patnaik Mahasayo.
23. Dr. P. Subbarayan.
24. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
25. Mr. Yakub Hasan Sahib.
26. ,, T. R. Venkatarama Ayyar.
27. Rao Bahadur T. A. Ramalinga Chettiyar.
28. Mr. Sami Venkatachalam Chetti.
29. Khan Bahadur P. Khalif-ul-lah Sahib.
30. Mr. T. M. Narayanaswami Pillai.
31. Khan Bahadur Mahmud Schamnad Sahib Bahadur.
32. Mr. B. Pocker Sahib.
33. ,, M. A. Manikkavelu Nayakar.
34. ,, V. P. Narayanan Nambiyar.
35. ,, Abdul Hameed Khan Sahib.
36. ,, Ahmed Miran Sahib.
37. ,, Basheer Ahmed Sayeed.
38. ,, S. M. K. Bayabani Sahib.
39. ,, K. P. V. S. Muhammad Meera Ravuttar.
40. ,, A. B. Shetty.
41. ,, K. A. Nachiyappa Gounder.
42. Rai Bahadur N. Sarkarai Manradiar.
43. Mr. U. C. Subrahmanya Bhatt.
44. ,, G. Simhachalam.
45. ,, A. Ranganatha Mudaliyar.
46. ,, K. Koti Reddi.
47. ,, C. R. Parthasarathi Ayyangar.
48. Rai Bahadur C. Kolanda Reddi.
49. Mr. K. Pattabhiramayya.

[28th January 1931

Ayes—cont.

50. Mr. C. Satyanarayana Choudari.
51. Rao Bahadur C. Natesa Mudaliyar.
52. Mr. A .Ramakrishna Reddi.
53. ,, V. T. Arasu.
54. Khan Bahadur T. M. Moidu Sahib Bahadur.
55. Mr. Madhusoothanan Thangal.
56. ,, D. V. Narasimhaswami.

Noes.

1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
2. The hon. Diwan Bahadur Sir M. Krishnan Nayar.
3. The hon. Mr. A. Y. G. Campbell.
4. ,, Mr. H. G. Stokes.
5. ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6. ,, Mr. P. T. Rajan.
7. ,, Diwan Bahadur B. Muniswami Nayudu.
8. Mr. H. A. Watson.
9. ,, R. Madanagopal Nayudu.
10. ,, S. V. Ramamurti.
11. Mr. Hilton Brown.
12. ,, T. Sundara Rao Nayudu.
13. Khan Sahib Syed Tajuddin Sahib Bahadur.
14. Mr. P. V. Rajagopala Pillai.
15. ,, V. G. Vasudeva Pillai.
16. Rao Sahib V. Dharmalingam Pillai.
17. Mr. A. T. Luker.
18. ,, Frank Birley.
19. ,, C. Basu Dev.
20. ,, G. Sriramulu.
21. ,, H. M. Jagannatham.
22. Rao Sahib V. I. Muniswami Pillai.
23. Mr. G. R. Premayya.

Ayes 56. *Noes* 23.

The motion was carried.

The demand under Grant XVI—Police—Reserved, for a further sum not exceeding Rs. 6,16,595, *minus* Rs. 100, was then put and declared carried.

A poll was demanded and the House divided thus:

4-45 p.m.

Ayes.

1. The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
2. The hon. Diwan Bahadur Sir M. Krishnan Nayar.
3. The hon. Mr. A. Y. G. Campbell.
4. ,, Mr. H. G. Stokes.
5. ,, Diwan Bahadur S. Kumaraswami Reddiyar.
6. ,, Mr. P. T. Rajan.
7. ,, Diwan Bahadur B. Muniswami Nayudu.
8. Rao Bahadur G. Jagannadha Raju.
9. Mrs. K. Alamelumanga Thayaramma.
10. Mr. W. P. A. Soundara Pandian.
11. ,, H. R. Pate.
12. ,, H. A. Watson.
13. ,, R. Madanagopal Nayudu.
14. ,, S. V. Ramamurti.
15. ,, Hilton Brown.
16. ,, T. Sundara Rao Nayudu.
17. Khan Sahib Syed Tajudin Sahib Bahadur.
18. Mr. M. Devadasan.
19. Subadar-Major S. A. Nanjappa Bahadur.
20. Mr. M. Vedachala Mudaliyar.
21. ,, B. P. Sesha Reddi.
22. ,, P. C. Moses.
23. Mr. P. V. Rajagopala Pillai.
24. ,, P. Bayappa Reddi.
25. ,, A. Kondappa.
26. ,, T. Narasa Reddi.
27. ,, R. M. Palat.
28. Rao Sahib V. Dharmalingam Pillai.
29. Mr. G. R. Premayya.
30. Kumara Raja of Venkatagiri.
31. Pandit Ganala Ramamurti.
32. Rao Sahib P. Subramaniam Chetti.
33. Mr. J. A. Davis.
34. Swami A. S. Sahajanandam.
35. Rao Sahib C. Jayaram Nayudu.
36. Sri Vyricherla Narayana Gajapathi Raju.
37. Mr. D. V. Narasimhaswami.
38. ,, A. Harischandrudu Nayudu.
39. ,, K. Kesava Ramamurthi Nayudu.
40. Sriman M. G. Patnaik Mahasayo.
41. Mr. A. T. Luker.
42. ,, Frank Birley.
43. ,, C. Basu Dev.
44. ,, A. Ramakrishna Reddi.
45. ,, G. Sriramulu.
46. ,, H. M. Jagannatham.
47. Rao Sahib V. I. Muniswami Pillai.
48. Khan Bahadur T. M. Moidu Sahib Bahadur.

28th January 1931]

Noes.

1. Rao Sahib Badeti Venkataramayya.
2. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
3. Sahib Bahadur Yakub Hasan.
4. Mr. K. R. Venkatarama Ayyar.
5. Rao Bahadur T. A. Ramalingam Chettiyar.
6. Mr. Sami Venkatachalam Chetti.
7. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
8. Sahib Bahadur B. Pocker.
9. Mr. M. A. Manikkavelu Nayakar.
10. Sahib Bahadur Abdul Hameed Khan.
11. Ahmed Miran Sahib Bahadur, Moulvi Hafiz Anumanthakudi Mustafa.
12. Sahib Bahadur Basheer Ahmed Sayeed.
13. S. M. K. Bayabani Sahib Bahadur.
14. Mr. K. P. V. S. Muhammad Meera Ravuttar.
15. ,, A. B. Shetty.
16. ,, K. A. Nachiappa Gounder.
17. ,, U. C. Subrahmanya Bhatt.
18. ,, G. Simhachalam.
19. ,, A. Ranganatha Mudaliyar.
20. ,, K. Koti Reddi.
21. ,, C. R. Parthasarathi Ayyangar.
22. Rai Sahib C. Kolanda Reddi.
23. Mr. K. Pattabhiramayya.
24. ,, C. Satyanarayana Choudari.

Neutral.

1. Mr. M. D. T. Ranganatha Mudaliyar.
2. ,, K. P. Raman Menon.
3. ,, M. B. Rangaswami Reddi.
4. Mr. P. K. Ramachandra Padayachi.
5. Rao Bahadur R. K. Venugopal Nayudu.
6. Mahboob Ali Baig Sahib Bahadur.

Ayes 48. *Noes* 24. *Neutral* 6.

The motion was carried.

GRANT XXIII—AGRICULTURE—TRANSFERRED.

* The hon. Mr. P. T. RAJAN:—" I beg to move

'*that the Government be granted a further sum not exceeding Rs.* 100 *under Grant XXIII—Agriculture—Transferred.*'

" Sir, from the explanatory note furnished to Members it will be found what is the nature of the disease and what action is proposed to be taken by the Government. At first we thought that the disease might be temporary but subsequently we found that this pest has already established itself in India and that some estates are already affected. At a meeting held for the purpose in June 1930 at which the Director of Agriculture, Madras, Director of Agriculture, Mysore, and the Executive Members of the United Planters of Southern India were present the point was discussed and it was agreed that research into the life history and means of dealing with the pest would have to be undertaken and that in addition to this it was necessary to survey the whole coffee area in order to find out which estates were affected and to advise the owners what action they should take to combat the pest. The question of a grant by the Imperial Council of Research is under consideration. As it might take some time for the Council of Research to decide about the grant referred to and as it is necessary that the pest should be kept in check as early as possible the Director of Agriculture wants to make a rapid survey of the coffee area in this province. For the sake of administrative convenience the coffee area of this province can be divided into three groups, i.e., the Nilgiris, the Shevaroys and the Anamalais. For each group one upper subordinate on Rs. 85, one fieldman on Rs. 35 and one peon on Rs. 12 are required. The Director of Agriculture requests that they may be sanctioned temporarily for one

[Mr. P. T. Rajan] [28th January 1931

year and states that when the joint scheme financed by the Imperial Council of Research comes into being, the staff will be absorbed in that scheme. The scheme will cost Rs. 677 during 1930–31 and during 1931–32 Rs. 7,147.

"There are enough savings in the agricultural budget to meet the extra expenditure in the current year. This token demand is moved in the Council because the scheme constitutes a new service."

* The hon. the PRESIDENT:—"The motion before the House is that the Government be granted a further sum not exceeding Rs. 100 under Grant XXIII—Agriculture—Transferred."

* Mr. M. A. MANIKKAVELU NAYAKAR:—"Mr. President, I beg to move

'*the the demand under XXIII—Agricultural—Transferred, be reduced by Re. 1.*'

"My object is to bring to the notice of the Government that the interest which the Government evince for coffee and tea is not evinced for other products such as maize and cholam. I do not know why they pay more attention to products like coffee and tea that are grown in cold countries.

"Then coming to the merits of the grant, I may say that when the hon. the Law Member was moving for a grant for the investigation of spike disease in sandalwood he said that they had been carrying on the experiment for three years and had spent about Rs. 40,000 but that they were not able to come to any definite conclusion and that they wanted to carry on the experiment for a further period of three years. I do not know whether the same thing may not happen here also. As the explanatory note itself says 'It was agreed that research into the life history and means of dealing with the pest would have to be undertaken.' So they have just begun the stage of making researches in the life history of the pest and by the time they are able to arrive at some conclusions, the disease itself may disappear. So unless the hon. the Minister takes the trouble to convince this House whether this amount is going to be spent usefully, we are not prepared to pass this grant. I do hope that the hon. Minister will convince this House as to how this amount is going to be spent usefully."

* The hon. Mr. P. T. RAJAN:—"As far as the assurance about the pest being brought under control is concerned, it is not possible for me to give the hon. Member who preceded me that assurance. The disease is new. It was only in 1930 it was brought to the notice of this Government and subsequently it was found that the disease has established itself in India. It is only after studying the life history of the pest, the disease can be checked if possible. It is for that purpose the demand is asked for, and if, as my hon. friend suggests that by the time we have finished our investigations into the life history of the pest, the disease itself were to disappear, I shall be only too glad. But till then we have to make our experiments and therefore we require this sum.

"As for the complaints of my hon. Friend that diseases connected with other products are not engaging the attention of the Government,

28th January 1931] [Mr. P. T. Rajan]

I may say that as a matter of fact the Indian Central Cotton Committee have been evincing great interest for the improvement of cotton crop. For the past so many years the Government have been trying to combat the pest diseases with regard to paddy, sugar-cane and groundnut. The provisions of the Pest Act are being rigorously enforced and resorted to very often. The department is also trying to combat the disease to palmyra trees.

"Nothing has been done in connection with coffee at all. This research is only the beginning. We are trying to prohibit the import of unroasted coffee beans into this Presidency. I hope the Council will pass this grant."

Mr. M. A. MANIKKAVELU NAYAKAR:—"I beg to withdraw my cut motion."

The motion was, by leave, withdrawn.

* The hon. the PRESIDENT:—"The question is that the Government be granted a further sum not exceeding Rs. 100 under Grant XXIII—Agriculture—Transferred."

The demand was carried and the grant made.

III.—ELECTION OF MEMBERS TO THE BOARD OF INDUSTRIES.

* The hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Board of Industries:—

1. Mr. H. M. JAGANNATHAM.
2. " YAKUB HASAN.
3. Zamindar of MIRZAPURAM.

"As the number of candidates exceeds the number of vacancies to be filled up, viz., two, there will be an election between 1-30 p.m. and 2-30 p.m. to-morrow, in accordance with the regulations made for the conduct of elections by the single transferrable vote."

IV.—ELECTION OF MEMBERS TO THE ADVISORY COMMITTEE, MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY.

* The hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Madras and Southern Mahratta Railway Advisory Committee:—

1. Mr. A. HARISCHANDRUDU.
2. Rao Sahib C. JAYARAM NAYUDU.
3. Mr. SAMI VENKATACHALAM CHETTI.

"As the number of candidates exceeds the number of vacancies to be filled up, viz., two, an election will be held to-morrow by the ordinary method of voting between 1-30 and 2-30 p.m."

V.—THE MADRAS MOTOR VEHICLES TAXATION BILL.

* The hon. the PRESIDENT:—"I appoint Mr. Basheer Ahmed Sayeed as the Chairman of the Select Committee to consider the Madras Motor Vehicles Taxation Bill (Bill No. II of 1931)."

VI.—ANNOUNCEMENT *RE*. MEETING ON SATURDAY.

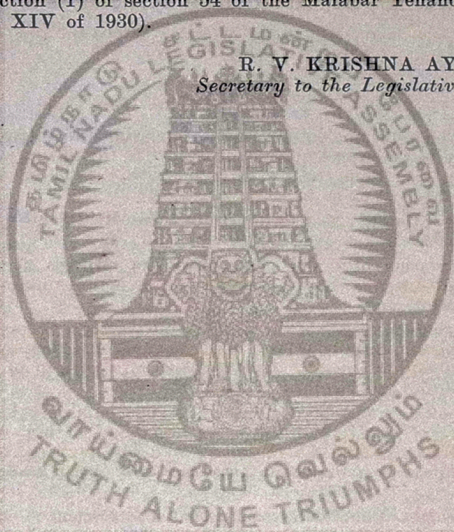
* The hon. the PRESIDENT:—" For the information of the House let me announce that the House will meet on Saturday also for the transaction of official business."

The House then adjourned to meet again at 11 a.m. the next day.

VII.—PAPER LAID ON THE TABLE OF THE HOUSE.

[a] Draft rules which the Government in Council proposes to make under sub-section (1) of section 54 of the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930).

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.



[a] Printed as Appendix VII at pages 418—432 supra.

APPENDIX I.

[Vide answer to question No. 144 asked by Mr. Basheer Ahmed Sayeed at the meeting of the Legislative Council held on the 28th January 1931, page 332 supra.]

G.O. Mis. No. 2160 I., dated 25th July 1930.

From the Chairman, Municipal Council, Tiruppattur (North Arcot), dated 7th June 1930, No. 1418.

Order—No. 2160 *I., dated 25th July* 1930.

The Chairman, Municipal Council, Tiruppattur (North Arcot), requests that steps may be taken to augment the supply to the Tiruppattur big tank by connecting the Reid Sahib's Channel with it. Three schemes were considered in this connexion in 1922, viz.,

(1) Excavation of a new channel from the Reid Sahib's anicut direct to the Tiruppattur tank,

(2) Excavation of a new channel to take off from the Reid Sahib's Channel a short distance above its infall into the Madapalli tank, and direct to the Tiruppattur tank,

(3) Raising the crest of the Reid Sahib's anicut, enlarging the head sluice, widening and improving the supply channel and thereby passing into the Madapalli tank a greater volume of water, a portion of which would eventually fall into the Tiruppattur big tank.

These schemes were dropped after careful consideration—the first because it would be very costly, and the other two because they would benefit primarily mitta tanks and the mittadars were not prepared to contribute, while the Tiruppattur tank would get only what the mittadars could not utilize.

The Government therefore are not prepared to re-open the question.

(By order of the Governor in Council)

A. G. LEACH,
Secretary to Government.

To the Chairman, Municipal Council, Tiruppattur (North Arcot),
,, Chief Engineer (Irrigation).
Copy to the Board of Revenue.
,, Collector of North Arcot.

APPENDIX II.

[Vide answer to question No. 152 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 28th January 1931, page 551 supra.]

Statement showing the extent of cultivation of certain crops in the Kanekal firka, Rayadrug taluk, during the faslis of 1334, 1335 and 1340.

Number and name of the village.	Fasli 1334 (whole).				Fasli 1335 (whole).			
(1)	Cotton. (2)	Korra. (3)	Cholam. (4)	Paddy. (5)	Cotton. (6)	Korra. (7)	Cholam. (8)	Paddy. (9)
	ACS.	ACS.	ACS.	ACS	ACS.	ACS.	ACS.	ACS.
36. N. Hanumapuram	452	1,146	551	..	773	396	760	..
37. Sollapuram	1,016	2,251	1,249	..	1,052	1,201	2,057	..
38. Rakatla	958	1,444	1,874	89	1,089	924	2,507	75
42. Hanakanahal	2,235	4,112	1,742	..	3,877	514	3,546	..
44. Malyam	1,073	2,009	1,505	289	871	1,167	2,145	267
45. Kanekal	1,500	2,666	766	3,475	1,594	1,358	1,943	3,668
Total for Kanekal firka including the above six villages	13,355	24,062	18,837	6,679	17,832	11,891	27,527	6,768

Number and name of the village.	Fasli 1340 up to the end of September 1930.				Fasli 1340 up to date (December 1930).			
	Cotton. (10)	Korra. (11)	Cholam. (12)	Paddy. (13)	Cotton. (14)	Korra. (15)	Cholam. (16)	Paddy. (17)
	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.	ACS.
36. N. Hanumapuram	464	947	..	..	491	968	454	..
37. Sollapuram	771	2,068	306	..	851	2,240	1,407	..
38. Rakatla	748	1,580	1,452	71	780	1,632	2,543	78
42. Hanakanahal	273	601	3	..	1,611	3,188	1,781	..
44. Malyam	571	1,209	180	40	731	1,666	1,881	118
45. Kanekal	914	1,086	120	252	1,567	2,322	1,159	2,291
Total for Kanekal firka including the above six villages	8,744	15,520	6,542	978	13,044	23,648	20,634	4,095

28th January 1931]

APPENDIX III.

(a)

[Vide answer to question No. 154 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 28th January 1931, page 338 supra.]

Villages in each taluk of the Bellary district in which there are arrears of revenue of previous years remaining to be collected.

1. *Bellary taluk.*—(1) Yerraingligi, (2) Siddamanahalli, (3) Andrahalu, (4) Bellary, (5) Belagal, (6) Bellary Gonahalu, (7) Halakundi, (8) Haragondona, (9) Aladahalli, (10) Janikunta, (11) Honnahalli, (12) Mundrigi, (13) Patrabudihal, (14) Sidaragadda, (15) Amarapuram, (16) Bevinahalli, (17) Bislahalli, (18) Haddengundu, (19) Bobbakunta, (20) Kakkabevinahalli, (21) Vanenoor, (22) Hirehadagalli, (23) Sindavalam, (24) Yerragudi, (25) Karekallu, (26) K. Virapuram, (27) Chellagurki, (28) Goturu, (29) Kallukutikinahallu, (30) Masudipuram, (31) Banapuram, (32) Kolur, (33) Veniveerapuram, (34) Korlagundi, (35) Bylur, (36) Kaggal, (37) Channahal, (38) Handihalu, (39) Guduthur, (40) Kudatini, (41) Karichedu, (42) M. Gonahalu, (43) Bommanahalu, (44) Jalihalu, (45) Bhyradevanahalli, (46) Chaganoor, (47) Sidiginamola, (48) Rayapuram, (49) Paramadevanahalli, (50) Meenahalli, (51) Basarakodu, (52) Moka, (53) Jalibenchi, (54) Kolagal, (55) Mincheri, (56) Kappagal, (57) Sanjeevarayanakota, (58) Buranayakanahalli, (59) Chandoor, (60) Godehalu, (61) Ibrampuram, (62) Kammerchedu, (63) Sanganakalu, (64) Siriveram, (65) T. Budehal, (66) Tholamamidi, (67) Y. Budehalu, (68) Sankarabanda, (69) Asundi, (70) Guthiganoor, (71) Chittikinahalu, (72) Yemmiganur, (73) Kurugodu, (74) Dammoor, (75) Somasamudram, (76) Nallodi, (77) H. Virapuram, (78) Ustaghatta, (79) Bennikal, (80) Joladarasi.

2. *Siruguppa taluk.*—(1) Muddatnoor, (2) Havinahalu, (3) Gundiganoor, (4) Ibrampuram, (5) Desanoor, (6) Kenchanguddam, (7) Kalekota, (8) Budiguppa, (9) Karoor, (10) Oloor, (11) Hagaloor, (12) Halekota, (13) Nagalapuram, (14) Rampuram, (15) Bandrahalu.

3. *Rayadrug taluk.*—(1) Bhupasamudram, (2) Udegolam, (3) Untakal, (4) Jagarakal, (5) Siddarampuram, (6) Kadalur, (7) Hulikal, (8) Brahmasamudram, (9) Bennicol, (10) Kudlur, (11) Rachmari, (12) Virupapuram, (13) Veparakallu.

4. *Adoni taluk.*—Nil.

5. *Alur taluk.*—(1) Ramadurgam, (2) Kammercheddu, (3) Naganthanahalli.

6. *Hospet taluk.*—(1) Muddapuram, (2) Arlihalli, (3) Bukkasagaram, (4) Chikkajagiganoor, (5) Hampadevanahalli, (6) Gonahallu, (7) Sankalapuram, (8) Honnahalli, (9) Karekuppi, (10) Daroji, (11) Kamalapuram, (12) Venkatapuram, (13) Hampi, (14) Narasapuram, (15) Anveri, (16) Nandibanda, (17) Basavandrug, (18) Gollarahalli.

7. *Hadagalli taluk.*—(1) Devagondanahalli, (2) K. Kodihalli, (3) Hirehadagalli.

8. *Harpanahalli taluk.*—Nil.

9. *Kudligi taluk.*—Nidugurthi.

NOTE.—In 80 villages of Bellary taluk, four villages of the Siruguppa taluk and two villages of Alur taluk, land revenue of previous faslis has been suspended. In other villages the arrears are covered either by processes or 14 B. statement.

[28th January 1931

(b)

Villages in each taluk in which there are loans arrears to be collected.

1. *Bellary taluk.*—All the villages of the taluk except Shrotriyam Mallapuram and Shrotriyam Bhatrahalli.

2. *Siruguppa taluk.*—(1) Bogguru, (2) Darur, (3) Halekota, (4) Kudidorbalu, (5) Siruguppa, (6) Kanchagara Belegal, (7) Tekkalakota, (8) Sirigeri, (9) Hainabalu, (10) Arliganur, (11) Uparahosahalli, (12) Kenchanaguddem, (13) Konchigeri, (14) Herakal, (15) Nagalapuram, (16) Muddatnur, (17) Devalapuram, (18) Chavallaoor, (19) Kotehalu, (20) Manur.

3. *Rayadrug taluk.*—(1) Nemakallu, (2) Untakallu, (3) Siddarampuram, (4) Kuruvathi, (5) Haresamudram, (6) Kalludevanahalli, (7) Medachalu, (8) Nagalapuram, (9) Govindavada, (10) Bidurkunta, (11) Vyasapuram, (12) Meenahalli, (13) Konluntla, (14) Malyam, (15) Udegolam, (16) Brahmasamudram, (17) Milapuram, (18) Muradi, (19) Belodu, (20) Rayadrug, (21) Oblapuram, (22) H. Siddapuram.

4. *Adoni taluk.*—Nil.

5. *Alur taluk.*—(1) Suluvogi, (2) H. Belagal, (3) Belehalu, (4) Amritapuram, (5) Gazzehalli, (6) Chinnahyata, (7) Kurlihalli, (8) Balugota, (9) Virupapuram, (10) Vandavogalli, (11) Mulagavalli, (12) Gulyam, (13) J. Hosahalli, (14) Medchalu, (15) Nitravathi, (16) Siddapuram, (17) Ballur, (18) Kammerchedu, (19) Naganathanahalli.

6. *Hospet taluk.*—(1) Muddapuram, (2) Sanapuram, (3) Arlihalli, (4) Belagoduhalu, (5) Kampli, (6) Ramasagar, (7) Devasamudram, (8) Chikkajagiganoor, (9) Hampadevanahalli, (10) Gonahalu, (11) Suggunahalli, (12) Jeeriganoor, (13) Sankalpur, (14) Talur, (15) Hampi, (16) Honnahalli, (17) Kurekuppa, (18) Tornagal, (19) Vaddu, (20) 59. Basapuram, (21) Joga, (22) Papinayakanahalli, (23) Venkatapuram, (24) Kamalapuram, (25) Hospet, (26) Kallahalli, (27) Gollarahalli, (28) Honnarahalli, (29) 105. Basapuram, (30) Daroji, (31) Hossur, (32) Havenamadugu, (33) Vittalapuram, (34) Bukkasagaram.

7. *Hadagalli taluk.*—(1) Ballahansi, (2) Anandevanahalli, (3) Rameswarabandi, (4) Kadlabal, (5) Kotnakal, (6) Mudenoor, (7) Devagonanhalli, (8) Holal, (9) Kalvi, (10) Byasigaderi, (11) Kagali, (12) Hirehadagalli, (13) Bannihatti, (14) Magalam, (15) Hadagalli.

8. *Harpanahalli taluk.*—(1) Alaboor, (2) M. Kallahalli, (3) Sringorathota, (4) Konganahossur, (5) Mydoor, (6) Muthigi, (7) Pritheswar, (8) Nilavanji, (9) Bennihalli, (10) Ramaghatta, (11) Sattur, (12) Kanchikeri, (13) Yedihalli, (14) Sirasatahalli, (15) Gundugutti, (16) Harpanahalli, (17) Naranapur, (18) Madapuram, (19) Kulahalli, (20) N. Basapuram, (21) Sivalinganahalli, (22) Hagarnoor, (23) Hirekoladu, (24) Madlageri, (25) Togarikatti (26) Kunchoor.

9. *Kudligi taluk.*—(1) Jolada Kudligi, (2) Hoshalli, (3) Gudekota, (4) Kannayakenakattu.

28th January 1931]

Selling price of cholam in each of the last three months of this fasli and in the corresponding months of faslis 1334-35 and 1339.

Name of taluk.	Cholam in seers per rupee.											
	Selling price in the last three months of this fasli.			Selling price in fasli.								
	1340.			1334.			1335.			1339.		
	September.	October.	November.	September.	October.	November.	September.	October.	November.	September.	October.	November.
Bellary ..	17	17½	19	10	10½	10½	8	8	8	8½	8	9
Siruguppa ..	15	15	18	6	6¾	6¾	9¾	9	10¾	8⅓	7½	7½
Rayadrug ..	17½	17	19¼	6½	7½	8	8½	8¾	9	8¼	8	8½
Adoni ..	15	16	18	6	6¾	8	9	9	9½	8	8	8½
Alur	16	19	20	7	7¾	8½	10	11	10¾	8	9	9½
Hospet ..	15	15¾	18	6¾	6½	6¾	9¼	8¾	8¾	12¾	13	13
Hadagalli ..	14	16	18	8	8	8	9	9½	9½	10	10	11
Harpanahalli.	15¾	17¼	17¾	8	8¼	8	9¼	9¾	10	10½	11	10½
Kudligi ..	16	16	18	7½	8¼	8¼	10	10	8¾	11½	11	10

APPENDIX IV.

[Vide answer to question No. 159 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 28th January 1931, page 339 supra.]

Statement showing the names of villages in which there were Assistant Karnams.

Names of villages.	Beriz.	Number of survey fields.	Extent.
	RS.		ACS.
Siruguppa	31,321	2608	7,427·99
Desanur	15,383	1165	3,588·40
Kudatini	12,195	1256	19,355·80
Kanekal	20,367	1216	15,704·63
Kamalapuram	9,780	1520	21,931·42
Hospet	1,651	348	2,096·88

APPENDIX V.

[Vide answer to questions Nos. 163 and 164 asked by Mr. Sami Venkatachalam Chetti and Mr. V. P. Narayanan Nambiyar respectively at the meeting of the Legislative Council held on the 28th January 1931, pages 342 and 346 supra.]

Copy of Memorandum No. 11034 *E*/30-7, *dated* 11*th December* 1930, *of the Public Works and Labour Department.*

[Salem and Erode Electric Licence—Reference Correspondence ending with (1) Letter from the Chairman, Municipal Council, Erode, R.C. No. 1204-C-30, dated 16th November 1930, and (2) Letter from the Chairman, Municipal Council, Salem, No. 109-C-2/30, dated 1st September 1930.]

Messrs. Octavious Steel & Co., Limited, Calcutta, applied in 1929 for a licence under Indian Electricity Act, 1910, for the supply of electric energy in Salem and Erode towns. The Municipal Council, Salem, at first agreed to the grant of the licence to the company but subsequently requested that the licence might be given to the Council itself and made a formal application under the Act in August 1930. The Municipal Council, Erode, protested against the grant of the licence to Messrs. Octavius Steel & Co., and formally applied for the licence in November 1929. The Government have given the question their careful consideration and have decided to grant the licence to Messrs. Octavius Steel & Co., the original applicants and have offered a draft licence for their acceptance.

2. The Pykara Hydro-Electric Scheme has been undertaken by the Government at a cost of over Rs. $1\frac{1}{4}$ crores, and is expected to be completed by the end of 1932. The towns of Salem and Erode are important places within the area to be served by the Pykara system. In order to have a market in that area ready to take power from the Pykara Project when it begins to operate, the Government approved in April last a scheme under which electric power will be purchased at Mettur from the Mysore Government until the Pykara power becomes available and have concluded an agreement with the Mysore Darbar for the purchase of a power at an early date. This scheme is estimated to cost Rs. $5\frac{1}{2}$ lakhs and it is essential that the arrangements for distribution should be made rapidly. The success of the main scheme is thus in a measure dependent on the present Mettur Scheme, and the Government in finding the capital required are bound in justice to the tax-payer to see that the distributing agencies are as efficient as possible in order that the largest market available may be secured for the Pykara Scheme and that the expected revenue is realized. They consider that this result will best be achieved by placing the distribution in the hands of a company experienced in electrical undertakings whose interest it will be to get the work done in the shortest possible time and to push the sale of electricity as much as possible, and who are able to arrange for the financing of the undertaking without delay and without further expenditure to Government. The two municipal councils could not finance the scheme without borrowing the money, and would necessarily take longer to carry out the works required.

A. G. LEACH,
Secretary to Government.

To the Chairman, Municipal Council, Erode.
,, Chairman, Municipal Council, Salem.

Copy to the Chief Engineer (Hydro-Electric Development).

28th January 1931]

Appendix VI.

Statement.

[Vide answer to question No. 178 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 28th January 1931, page 355 supra.]

Name of district.	Number of private cars at the end of 1929.	Number of cars and buses plying for hire at the end of 1929.	Number of accidents in		
			1927.	1928.	1929.
1. Madras City	4,414	630	434	269	314
2. Anantapur	21	119	Nil.	4	4
3. Arcot, North	111	364	13	57	50
4. Arcot, South	108	139	21	10	18
5. Bellary	124	123	Nil.	6	20
6. Chingleput	185	252	17	14	13
7. Chittoor	57	162	2	8	7
8. Coimbatore	544	472	35	64	108
9. Cuddapah	13	99	7	9	3
10. Ganjam	180	106	9	14	18
11. Godavari, East	133	275	7	6	20
12. Godavari, West	57	251	6	12	12
13. Guntur	175	174	1	15	20
14. South Kanara	199	216	9	25	66
15. Kistna	120	281	7	7	14
16. Kurnool	31	183	18	2	5
17. Madura	344	436	* ..	* ..	51
18 Malabar	512	621	† ..	† ..	61
19. Nellore	51	155	2	3	19
20. Nilgiris, The	1,024	95	16	24	39
21. Ramnad	982	459	‡ ..	‡ ..	28
22. Salem	186	353	4	14	36
23. Tanjore	305	361	16	41	49
24. Tinnevelly	139	275	27	35	32
25. Trichinopoly	1,251	395	48	55	74
26. Vizagapatam (including Agency tracts)	276	224	2	6	33

* Figures not available.

† 1929 : 1928 : 1927 : : 9·8 : 13·9 : 10·4.

‡ In 1929 there was an increase of 16·22 per cent when compared with the number of accidents in 1927 and a decrease of 35 per cent when compared with that in 1928.

[28th January 1931

APPENDIX VII.

[Vide item VII, Papers laid on the table of the House at page 410 supra.]

LAW (GENERAL) DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

The following draft rules which the Governor in Council proposes to make under sub-section (1) of section 54 of the Malabar Tenancy Act, 1929 (Madras Act XIV of 1930), are laid on the table:—

Draft Rules.

RULES MADE UNDER THE MALABAR TENANCY ACT, 1929.

1. These rules may be called "The Malabar Tenancy Rules, 1930."

2. In these rules, "the Act" means the Malabar Tenancy Act, 1929.

3. Every application under section 11 of the Act shall be in Form I annexed to these rules with such variations as circumstances may require.

4. Every application under sub-section (2) of section 13 of the Act shall be in Form II annexed to these rules with such variations as circumstances may require.

5. Every application under sub-section (1) of section 22 of the Act shall be in Form III-A, III-B, III-C or III-D annexed to these rules, according as the applicant is a customary verumpattamdar, a kanamdar, a kuzhikanamdar or an intermediary in kuzhikanam, with such variations as circumstances may require.

6. Every application under sub-section (1) of section 30 of the Act shall be in Form IV annexed to these rules with such variations as circumstances may require.

7. (1) Every offer by a tenant under section 33 to purchase the rights in the kudiyiruppu of the landlord who sues to evict him shall contain the following particulars, namely:—

(i) the number of the suit, in which the application is made;

(ii) the survey and subdivision numbers, extent, description and boundaries of the kudiyiruppu, the amsam, desam and taluk within which it is situated, the assessment, if any, payable to the Government in respect thereof, the length and width of the site built upon, the number and description of the buildings thereon, the length and width of the entire holding and the easements, if any;

(iii) the total period for which the kudiyiruppu has been in the continuous occupation of the tenant or the members of his family on the date of the institution of the suit, with full details;

(iv) the arrears, if any, due by the tenant, of

(*a*) rent or michavaram,

(*b*) revenue payable to the Government where such revenue is payable by the tenant, and

(*c*) local cesses if such cesses are payable by the tenant;

(v) the nature and estimate of the market value according to the tenant of the rights in the kudiyiruppu of the landlord who seeks to evict him;

28th January 1931]

(vi) whether the tenant is willing to deposit the market price of the kudiyiruppu or wishes to pay it in instalments and, if so, in how many instalments and the amount of each instalment ; and

(vii) whether the tenant is willing to purchase the plaintiff's right at the price so specified or at the price to be fixed by the Court.

(2) If any dispute arises regarding the correctness of the description of the kudiyiruppu given in any such offer, the Court may call upon the parties to furnish within such time it may fix plan of the kudiyiruppu.

FORM I.

(See Rule 3.)

IN THE COURT OF THE

APPLICATION NO. OF 19 .

Between

A.B. *Applicant*

and

C.D. and others *Respondents.*

Application of A.B. under section 11 *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows :—

1. *A.B.*, the applicant, is the cultivating verumpattamdar of the holding described in paragraph / immediate landlord of *C.D.* the first respondent, under *C.D* the first respondent / a cultivating verumpattamdar of the holding described in paragraph and resides at .

The address of the applicant for service of all notices and processes is .

2. *C.D.*, the first respondent, resides at .

E.F., the second respondent, is the janmi of the said holding and resides at .

G.H. the third respondent, is the kanamdar of the said holding under the said *E.F.* the janmi, and resides at .

3. The holding comprises the following lands, namely :—

[Here set out the survey and subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the assessments payable to the Government in respect thereof, and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. (*a*) Of the wet lands comprised in the holding, the following items were converted from dry lands into wet by the applicant's / first respondent's labour :—

(*b*) The years in which the first wet crop was raised, the annual gross paddy produce, the expense of reaping it and the quantity of seed customarily deemed to be required for an agricultural year in the case of each of the said items are as follows :—

(*c*) The annual fair rent payable in respect of each of the items of wet land included in this paragraph is as follows :—

[Cases falling under clause (*a*) of section 5 of the Act should be mentioned together.]

[28th January 1931

5. (*a*) Of the other wet lands comprised in the holding (that is to say, of lands not converted from dry into wet by the tenant's labour), are registered in the registers of the Government as single crop lands and as double crop lands.

(*b*) The annual gross paddy produce and the expense of reaping it in the case of each of the items of single crop lands for each of the three years immediately previous to the date of this application are

In the years no crop at all was raised on items and in the years only a dry crop was raised on item . The produce given above for the said years in respect of the said items is the estimated produce of a single paddy crop as required by proviso (i) to section 6 of the Act.

The quantity of seed customarily deemed to be required for each of the said items is

(*c*) The annual gross paddy produce and the expense of reaping it in the case of each of the items of double crop lands for each of the said three years are as mentioned below :—

Account has been taken as though two paddy crops have been harvested irrespective of the number and the kind of the crops raised and of the fact that no crop whatever was raised in particular years—vide proviso (ii) to section 6.

(Here give details of all cases of departure from the normal rule of two paddy crops every year.)

The quantity of seed customarily deemed to be required for each of the said items is

(*d*) The annual fair rent payable in respect of each of the items of wet land (single and double crop) included in this paragraph is as follows :—

6. In the case of the garden lands included in the holding—

(*a*) (i) the $\frac{\text{first respondent}}{\text{applicant}}$ is bound to pay compensation under the Improvements Act in case of eviction for coconut trees ;

(ii) of these trees, trees have been let for tapping. The gross produce of nuts of trees of a similar description and with similar advantages in the neighbourhood for each of the three years immediately previous to the date of this application is estimated to be . Consequently, the gross produce of nuts of the trees let for tapping for each of the said three years is deemed to be under the proviso to sub-section (2) of section 7 of the Act ;

(iii) the gross produce of nuts of the other coconut trees specified in sub-clause (i) for each of the said three years is ; and

(iv) the total gross produce of nuts of all the coconut trees specified in sub-clause (i) for the said three years is consequently and the annual fair rent payable in respect of them is .

(*b*) (i) the $\frac{\text{first respondent}}{\text{applicant}}$ is not bound to pay compensation under the Improvements Act in case of eviction for coconut trees ;

(ii) of these trees, trees have been let for tapping. The gross produce of nuts of trees of a similar description and with similar advantages in the neighbourhood for the three years immediately previous to

28th January 1931]

the date of this application is estimated to be . Consequently, the gross produce of nuts of the trees let for tapping for the said three years is deemed to be under the proviso to sub-section (2) of section 7 of the Act;

(iii) the gross produce of nuts of the other coconut trees specified in sub-clause (i) for the said three years is ; and

(iv) the total gross produce of nuts of all the coconut trees specified in sub-clause (i) for the said three years is consequently and the annual fair rent payable in respect of them is ;

(*c*) the $\frac{\text{first respondent}}{\text{applicant}}$ is bound to pay compensation under the Improvements Act in case of eviction for areca trees and the gross produce of nuts of the said trees for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these areca tree is ;

(*d*) the $\frac{\text{first respondent}}{\text{applicant}}$ is not bound to pay compensation under the Improvements Act in case of eviction for areca trees and the gross produce of nuts of the said trees for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these areca trees is ;

(*e*) the gross produce of pepper vines in respect of which the $\frac{\text{first respondent}}{\text{applicant}}$ is bound to pay compensation under the Improvements Act in case of eviction for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these vines is ;

(*f*) the gross produce of pepper vines in respect of which the $\frac{\text{first respondent}}{\text{applicant}}$ is not bound to pay compensation under the Improvements Act in case of eviction for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these vines is .

7. The annual fair rent (three times the assessment per annum) payable in respect of each of the items of dry lands included in the holding is .

8. The following items of land are situated within the limits of the municipality of .

The rents paid (agreed to be paid) in respect of (give details) being similar lands of the same extent in the neighbourhood are .

Items have not been built or planted upon and no crop has been grown on them. The annual fair rent payable in respect of each of these items of land is .

Items have been built or planted upon and crops have been grown on items . In respect of each of these items, the fair rent as calculated in paragraphs 4 to 7 is which $\frac{\text{exceeds}}{\text{does not exceed}}$ the fair rent as calculated in this paragraph. Consequently, the annual fair

[28th January 1931

rent payable in respect of these items of land is the higher of the two amounts of fair rent mentioned above, namely:—

9. The aggregate amount of annual fair rent payable in respect of all the lands included in the holding is therefore .

10. The applicant therefore prays that the Court may be pleased by order to fix—

(*a*) the extent of the holding,

(*b*) the annual fair rent that is payable in respect thereof,

(*c*) the instalments, if any, in which the fair rent shall be payable and

(*d*) the date (or dates) on which the said rent (or instalments) shall be payable.

I declare that what is stated in paragraphs is true to my knowledge and what is stated in paragraphs is stated on information and belief and I believe the same to be true.

(Signed) A.B.

FORM II.

(See Rule 4.)

IN THE COURT OF THE

APPLICATION NO. OF 19 .

Between

A.B. ... ... *Applicant*

and

C.D. ... ... *Respondent.*

Application of A. B. under sub-section (2) *of section* 13 *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows:—

1. The respondent is the cultivating verumpattamdar of the holding described in paragraph and the applicant A.B. is his immediate landlord and resides at .

The address of the applicant for service of all notices and processes is .

2. C. D. the respondent, resides at .

3. The holding comprises the following lands, namely:—

[Here set out the Survey and Subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the assessments payable to the Government in respect thereof and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. The annual fair rent payable in respect of the lands included in the holding is .

28th January 1931]

5. The applicant called upon the respondent on   by notice in writing at the latter's option—

(*a*) to pay one year's fair rent of the holding in advance, or

(*b*) to furnish security for the said fair rent, or

(*c*) to pay a portion of the said fair rent in advance and furnish security for the balance,

or

5. (*a*) The respondent has on   paid   as advance and on   has furnished security for   . In respect of the balance of one year's fair rent, viz.,   he has neither paid in advance nor furnished security.

(*b*) The applicant called upon the respondent on   by notice in writing at the latter's option—

(i) to pay the said balance of one year's fair rent of the holding in advance, or

(ii) to furnish security for the said balance of fair rent, or

(iii) to pay a portion of the said balance of fair rent in advance and furnish security for the remainder.

6. (Here state in what respect the notice has not been complied with.)

7. The period of six months for compliance with the notice referred to in paragraph 5 expired on   .

8. The applicant prays that the Court may be pleased to order the respondent, at the option of the respondent—

(*a*) to pay one year's fair rent / the balance of one year's fair rent, viz.,   in advance,

or

(*b*) to furnish security for the said fair rent / balance, or

(*c*) to pay a portion of the said fair rent / balance in advance and furnish security for the remainder.

I declare that what is stated in paragraphs   is true to my knowledge and what is stated in paragraphs   is stated on information and belief and I believe the same to be true.

(Sd.) A.B.

Form III-A.

(See Rule 5.)

IN THE COURT OF THE   .

Application No.   of 19 .

Between

A.B. ... ... *Applicant*

and

C.D. ... ... *Respondent.*

(Here enter the cause title of the suit, if any, in which the application is made.)

Application of A.B. under sub-section (1) *of section* 22 [*read with sub-section* (*b*) *of section* 23] *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows:—

1. A.B., the applicant, is a customary verumpattamdar under the respondent in respect of the holding in paragraph   and resides at

[28th January 1931

The address of the applicant for service of all notices and processes

2. C.D., the respondent, resides at .

3. The holding comprises the following lands, namely:—

[Here set out the survey and subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the annual Government revenue payable in respect thereof and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. The previous verumpattam expired / current verumpattam will expire on 19 and its material terms are as follows:—

5. The annual fair rent payable in respect of the lands included in the holding is

(State how the figure is arrived at.)

6. The applicant was paying under the expiring verumpattam as the annual rent.

7. The amount of annual Government revenue which is payable by the applicant in respect of the lands included in holding is .

8. The renewal fee payable is (state how the figure is fixed).

9. The first instalment of (here enter two-thirds of the renewal fee) was / will be payable in and the balance of was / will be payable as a second instalment in in accordance with the provisions of clause (*a*) of section 19 of the Act.

10. The applicant filed an application under sub-section (1) of section 22 of the Act in respect of the holding (Application No. on the file of the Court of) and that application was dismissed on under section 23 (*a*) of the Act.

11. The applicant made a valid tender of the renewal fee payable under section 19 of the Act on and such tender was refused by the landlord.

12. The applicant prays that the Court may be pleased—

(i) to determine the renewal fee, the amount of each instalment thereof under section 19 of the Act and the date on or before which each instalment was, or will become, due;

(ii) to order a deposit of the instalment or instalments of the renewal fee due on or before the date of such order (with interest at twelve per cent per annum from the date on which each instalment became due / the date of the commencement of this Act); and

(iii) on such deposit being made to

(*a*) execute a renewal deed containing such terms as the Court determines to be the terms of the expiring transaction and as are in accordance with law, and

(*b*) pass an order directing the applicant to pay the landlord a further instalment (or instalments) of the renewal fee (here enter the amount

28th January 1931]

of instalment) in accordance with section 19 of the Act with interest at six per cent per annum on such instalment (or instalments) from the due date to the date of payment.

I declare that what is stated in paragraphs is true to my knowledge and what is stated in paragraphs is stated on information and belief and I believe the same to be true.

(Signed) *A.B.*

FORM III-B.

(See Rule 5.)

IN THE COURT OF THE

APPLICATION No. OF 19 .

Between

A.B. ... ... *Applicant*

and

C.D. ... ... *Respondent.*

(Here enter the cause title of the suit, if any, in which the application is made.)

Application of A.B. under sub-section (1) *of section* 22 [*read with sub-section* (*b*) *of section* 23] *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows:—

1. *A.B.*, the applicant, is a kanamdar under the respondent in respect of the holding described in paragraph and resides at

The address of the applicant for service of all notices and processes is

2. *C.D.*, the respondent, resides at

3. The holding comprises the following lands, namely:—

[Here set out the survey and subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the annual Government revenue payable in respect thereof and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. The $\frac{\text{previous}}{\text{current}}$ kanam $\frac{\text{expired}}{\text{will expire}}$ on 19 and its material terms are as follows:—

5. The annual fair rent payable in respect of the lands included in the holding is

(State how the figure is fixed.)

6. The amount of annual Government revenue which under the kanam deed is payable by the applicant in respect of the lands included in the holding is

7. The kanartham is and the annual interest payable thereon is calculated at the rate of specified in the kanam deed [at the rate of in accordance with the provisions of section 17 (*b*) of the Act.]

[28th January 1931

8. The applicant has been paying as michavaram under the $\frac{\text{previous}}{\text{current}}$ kanam above referred to

9. The renewal fee payable is .
(State how the figure is fixed.)

10. The first instalment of (here enter two-thirds of the renewal fee $\frac{\text{was}}{\text{will be}}$ payable in and the balance of $\frac{\text{was}}{\text{will be}}$ payable as a second instalment in in accordance with the provisions of clause (*a*) of section 19 of the Act.

11. The applicant filed an application under sub-section (1) of section 22 of the Act in respect of the holding (Application No. on the file of the Court of) and that application was dismissed on under sub-section (*a*) of section 23 of the Act.

12. The applicant made a valid tender of the renewal fee payable under section 19 of the Act on ... and such tender was refused by the landlord.

13. The applicant prays that the Court may be pleased—

(i) to determine the renewal fee, the amount of each instalment thereof under section 19 of the Act and the date on or before which each instalment was, or will become, due;

(ii) to order a deposit of the instalment or instalments of the renewal fee due on or before the date of such order (with interest at twelve per cent per annum from $\frac{\text{the date on which each instalment became due}}{\text{the date of the commencement of the Act}}$); and

(iii) on such deposit being made to—

(*a*) execute a renewal deed containing such terms as the Court determines to be the terms of the expiring transaction and are in accordance with law, and

(*b*) pass an order directing the applicant to pay the landlord a further instalment (or instalments) of the renewal fee (here enter the amount of instalment) in accordance with section 19 of the Act with interest at six per cent per annum on such instalment (or instalments) from the due date to the date of payment.

I declare that what is stated in paragraphs is true to my knowledge and what is stated in paragraphs is stated on information and belief and I believe the same to be true.

(Signed) *A.B.*

Form III-C.

(See Rule 5.)

IN THE COURT OF THE

Application No. of 19 .

Between

A.B. ... ... *Applicant*

and

C.D. ... ... *Respondent.*

(Here enter the cause title of the suit, if any, in which the application is made.)

28th January 1931]

Application of A.B. under sub-section (1) *of section* 22 [*read with sub-section* (*b*) *of section* 23] *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows :—

1. *A.B.*, the applicant, is a kuzhikanamdar under the respondent in respect of the holding described in paragraph and resides at .

The address of the applicant for service of all notices and processes is .

2. *C.D.*, the respondent, resides at .

3. The holding comprises the following lands, namely :—

[Here set out the survey and subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the assessments payable to the Government in respect thereof and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. The $\frac{\text{previous}}{\text{current}}$ kuzhikanam $\frac{\text{expired}}{\text{will expire}}$ on 19 and its material terms are as follows :—

5. The renewal fee payble is .

(State how the figure is fixed.)

6. The first instalment of (here specify one-third of the renewal fee) is payable in and the balance in five equal consecutive annual instalments of each in the years in accordance with the provisions of clause (*b*) of section 19 of the Act.

7. The applicant filed an application under sub-section (1) of section 22 of the Act in respect of the holding (Application No. on the file of the Court of) and that application was dismissed on under sub-section (*a*) of section 23 of the Act.

8. The applicant made a valid tender of the renewal fee payable under section 19 of the Act on and such tender was refused by the landlord.

9. The annual fair rent payable in respect of the lands included in the holding is .

(State how the figure is fixed.)

10. The applicant prays that the Court may be pleased—

(i) to determine the renewal fee, the amount of each instalment thereof under section 19 of the Act and the date on or before which each instalment was, or will become, due ;

(ii) to order a deposit of the instalment or instalments of the renewal fee due on or before the date of such order (with interest at twelve per cent per annum from $\frac{\text{the date on which each instalment became due}}{\text{the date of the commencement of the Act}}$);

(iii) on such deposit being made to

(*a*) execute a renewal deed containing such terms as the Court determines to be the terms of the expiring transaction and as are in accordance with law, and

(*b*) pass an order directing the applicant to pay the landlord a further nstalment (or instalments) of the renewal fee (here enter the

amount of instalment) in accordance with section 19 of the Act with interest at six per cent per annum on such instalment (or instalments) from the due date to the date of payment; and

(iv) by order to fix the annual fair rent that is payable in respect of the holding.

I declare that what is stated in paragraphs is true to my knowledge and what is stated in paragraphs is stated on information and belief and I believe the same to be true.

(Signed) *A.B.*

FORM III-D.

(See rule 5.)

. IN THE COURT OF THE

APPLICATION NO. OF 19 .

Between

A.B. *Applicant*

and

C.D. *Respondent.*

(Here enter the cause title of the suit, if any, in which the application is made.)

Application of A.B. under sub-section (1) *of section* 22 [*read with sub-section* (*b*) *of section* 23] *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows:—

1. *A.B.*, the applicant, is an intermediary in kuzhikanam under the respondent in respect of the holding described in paragraph and resides at

The address of the applicant for service of all notices and processes is .

2. *C.D.*, the respondent, resides at .

3. The holding comprises the following lands, namely:—

[Here set out the survey and subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the assessments payable to the Government in respect thereof and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. The $\frac{\text{previous}}{\text{current}}$ kuzhikanam $\frac{\text{expired}}{\text{will expire}}$ on 19 and its material terms are as follows:—

5. The renewal fee payable is .
(State how the figure is fixed.)

6. The first instalment of (here enter two-thirds of the renewal fee) $\frac{\text{was}}{\text{will be}}$ payable in and the balance of $\frac{\text{was}}{\text{will be}}$ payable as a second instalment in in accordance with the provisions of clause (*a*) of section 19 of the Malabar Tenancy Act, 1929.

28th January 1931]

7. The applicant filed an application under sub-section (1) of section 22 of the Act in respect of the holding (Application No. on the file of the Court of) and that application was dismissed on under sub-section (*a*) of section 23.

8. The applicant made a valid tender of the renewal fee payable under section 19 of the Act on and such tender was refused by the landlord.

9. The applicant prays that the Court may be pleased—

(i) to determine the renewal fee, the amount of each instalment thereof under section 19 and the date on or before which each instalment was, or will become, due ;

(ii) to order a deposit of the instalment or instalments of the renewal fee due on or before the date of such order (with interest at twelve per cent per annum from $\frac{\text{the date on which each instalment became due)}}{\text{the date of the commencement of this Act)}}$; and

(iii) on such deposit being made to

(*a*) execute a renewal deed containing such terms as the Court determines to be the terms of the expiring transaction and as are in accordance with law, and

(*b*) pass an order directing the applicant to pay the landlord a further instalment (or instalments) of the renewal fee (here enter the amount of instalment) in accordance with section 19 of the Act with interest at six per cent per annum on such instalment (or instalments) from the due date to the date of payment.

I declare that what is stated in paragraphs is true to my knowledge and what is stated in paragraphs is stated on information and belief and I believe the same to be true.

(Signed) *A.B.*

FORM IV.

(See Rule 6.)

IN THE COURT OF THE .

APPLICATION NO. OF 19 .

Between

A.B. ... ... *Applicant*

and

C.D. ... ... *Respondent.*

Application of A.B. under sub-section (1) *of section* 30 *of the Malabar Tenancy Act*, 1929.

The abovenamed applicant states as follows :—

1. *A.B.*, the applicant, is the $\frac{\text{cultivating verumpattamdar of the holding described in paragraph} \quad \text{under } C.D.\text{, the respondent}}{\text{immediate landlord of } C.D.\text{ the respondent, a cultivating verumpattamdar of the holding described in paragraph 4}}$ and resides at .

The address of the applicant for service of all notices and processes is .

2. *C.D.*, the respondent, resides at .

3. The holding comprises the following lands, namely :—

[Here set out the survey and subdivision numbers, extent, description and boundaries of all the lands included in the holding in respect of which the application is made, the assessments payable to the Government in respect thereof and the amsam, desam and taluk in which the lands are situated. Particulars should be given separately of (*a*) wet lands, (*b*) garden lands and (*c*) dry lands.]

4. (*a*) Of the wet lands comprised in the holding, the following items were converted from dry lands into wet by the $\frac{\text{applicant's}}{\text{respondent's}}$ labour :—

(*b*) The years in which the first wet crop was raised, the annual gross paddy produce, the expense of reaping it and the quantity of seed customarily deemed to be required for an agricultural year in the case of each of the said items are as follows :—

(*c*) The annual fair rent payable in respect of each of the items of wet land included in this paragraph is as follows :—

[Cases falling under clause (*a*) of section 5 of the Act should be mentioned together.]

5. (*a*) Of the other wet lands comprised in the holding (that is to say, of lands not converted from dry into wet by the tenant's labour),
are registered in the registers of the Government as single-crop lands and
as double-crop lands.

(*b*) The annual gross paddy produce and the expense of reaping it in the case of each of the items of single-crop lands for each of the three years immediately previous to the date of this application are

In the years no crop at all was raised on items and only a dry crop was raised on items . The produce given above for the said years in respect of the said items is the estimated produce of a single-paddy crop as required by proviso (i) to section 6 of the Act.

The quantity of seed customarily deemed to be required for each of the said items is

(*c*) The annual gross paddy produce and the expense of reaping it in the case of each of the items of double-crop lands for each of the said three years are as mentioned below. Account has been taken as though two paddy crops have been harvested, irrespective of the number and the kind of the crops raised and of the fact that no crop whatever was raised in particular years.

(Here give details of all cases of departure from the normal rule of two paddy crops every year.)

The quantity of seed customarily deemed to be required for each of the said items is .

(*d*) The annual fair rent payable in respect of each of the items of wet land (single and double crop) included in this paragraph is as follows :—

6. In the case of garden lands included in the holding—

(*a*) (i) the $\frac{\text{respondent}}{\text{applicant}}$ is bound to pay compensation under the Improvements Act in case of eviction for coconut trees ;

(ii) of these trees, trees have been let for tapping. The gross produce of nuts of trees of a similar description and with similar advantages in the neighbourhood for each of the three years immediately previous to the date of this application is estimated to be . Consequently, the gross produce of nuts of the trees let for tapping for each of the said three years is deemed to be under the proviso to sub-section (2) of section 7 of the Act ;

28th January 1931]

(iii) the gross produce of nuts of the other coconut trees specified in sub-clause (i) for each of the said three years is ; and

(iv) the total gross produce of nuts of all the coconut trees specified in sub-clause (i) for the said three years is consequently and the annual fair rent payable in respect of them is ;

(*b*) (i) the $\frac{\text{respondent}}{\text{applicant}}$ is not bound to pay compensation under the Improvements Act in case of eviction for coconut trees;

(ii) of these trees, trees have been let for tapping. The gross produce of nuts of trees of a similar description and with similar advantages in the neighbourhood for the three years immediately previous to the date of this application is estimated to be . Consequently, the gross produce of nuts of the trees let for tapping for the said years is deemed to be under the proviso to sub-section (2) of section 7 of the Act;

(iii) the gross produce of nuts of the ther coconut trees specified in sub-clause (i) for the said three years is ; and

(iv) the total gross produce of nuts of all the coconut trees specified in sub-clause (i) for the said three years is consequently and the annual fair rent payable in respect of them is ;

(*c*) the $\frac{\text{respondent}}{\text{applicant}}$ is bound to pay compensation under the Improvements Act in case of eviction for areca trees and the gross produce of nuts of the said trees for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these areca trees is ;

(*d*) the $\frac{\text{respondent}}{\text{applicant}}$ is not bound to pay compensation under the Improvements Act in case of eviction for areca trees and the gross produce of nuts of the said trees for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these areca trees is ;

(*e*) the gross produce of pepper vines in respect of which the $\frac{\text{respondent}}{\text{applicant}}$ is bound to pay compensation under the Improvements Act in case of eviction for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these vines is ; and

(*f*) the gross produce of pepper vines in respect of which the $\frac{\text{respondent}}{\text{applicant}}$ is not bound to pay compensation under the Improvements Act in case of eviction for each of the three years immediately previous to the date of this application is .

The annual fair rent payable in respect of these vines is .

7. The annual fair rent (three times the assessment per annum) payable in respect of each of the items of dry lands included in the holding is

8. The following items of land are situated within the limits of the municipality of :—

The rents paid (agreed to be paid) in respect of (give details) being similar lands of the same extent in the neighbourhood are .

[28th January 1931

Items have not been built or planted upon and no crop has been grown on them. The annual fair rent payable in respect of each of these items of land is .

Items have been built or planted upon. Crops have been grown on items . In respect of each of these items, the fair rent as calculated in paragraphs 4 to 7 is which $\frac{\text{exceeds}}{\text{does not exceed}}$ the fair rent as calculated in this paragraph. Consequently, the annual fair rent payable in respect of these items of land is the higher of the two amounts of fair rent mentioned above, namely :—

9. The aggregate amount of annual fair rent payable in respect of all the lands included in the holding is therefore .

10. On the Court last fixed the fair rent for the said holding at payable as follows :—

(Here give details)

and more than twenty years have elapsed since.

Or

On the 19 the Court last $\frac{\text{confirmed}}{\text{revised}}$ the fair rent existing on the said date in repect of the said holding $\frac{\text{thereby fixing}}{\text{and fixed}}$ it at payable as follows :—

(Here give details)

and more than twenty years have elapsed since.

11. The applicant therefore prays that the Court may be pleased by order to fix—

(*a*) the annual fair rent that is payable in respect of the holding ;

(*b*) the instalments, if any, in which the fair rent shall be payable ; and

(*c*) the date (or dates) on which the said rent (or instalments) shall be payable.

I declare that what is stated in paragraphs is true to my knowledge and what is stated in paragraphs is stated on information and belief and I believe the same to be true.

(Signed) *A.B.*

U. RAMA RAO—9-1-31.